PROCEEDINGS OF COUNCIL OF GOVERNOR OF FORT ST. GEORGE

VOL-XXII 1894

MADRAS
1895

PROCEEDINGS

OF THE

Council of the Governor of Fort St. George

ASSEMBLED

FOR THE PURPOSE OF MAKING LAWS AND REGULATIONS

FOR THE YEAR

1894,

WITH INDEX.

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1895.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George, assembled for the purpose of making Laws and Regulations under the provisions of the Acts of Parliament, 24 *and* 25 *Victoria, Cap.* 67, *and* 55 *and* 56 *Victoria, Cap.* 14.

The Council met at the Council Chamber in Fort St. George at 11 A.M. on Friday, the 5th day of January 1894.

PRESENT:

His Excellency the Right Hon'ble the GOVERNOR OF MADRAS, G.C.I.E.—*Presiding.*
The Hon'ble Mr. J. H. GARSTIN, C.S.I.
The Hon'ble Mr. H. W. BLISS, C.I.E.
The Hon'ble the ADVOCATE-GENERAL.
The Hon'ble Mr. J. F. PRICE, C.S.I.
The Hon'ble Mr. C. A. GALTON, M.A.
The Hon'ble Mr. J. GROSE, M.A.
The Hon'ble Mr. C. S. CROLE.
The Hon'ble Colonel J. PENNYCUICK, R.E.
The Hon'ble Mr. W. P. AUSTIN.
The Hon'ble Mr. A. MONRO, M.A., B.C.L., Barrister-at-Law.
The Hon'ble S. SRINIVASA RAGHAVAIYANGAR, B.A., C.I.E., Diwan Bahadur.
The Hon'ble the MAHARAJA OF VIZIANAGRAM, G.C.I.E.
The Hon'ble V. BHASHYAM AIYANGAR, B.A., B.L., Rai Bahadur.
The Hon'ble Mr. J. A. BOYSON.
The Hon'ble P. RANGAYYA NAYUDU.
The Hon'ble A. SABHAPATI MUDALIYAR, Rao Bahadur.
The Hon'ble N. SUBBA RAO PANTULU, B.A., B.L.
The Hon'ble K. KALYANASUNDARAM AIYAR, B.A., B.L.
The Hon'ble S. R. RAMASUBBAIYAR, B.A., B.L., Rao Bahadur.
The Hon'ble C. SANKARAN NAYAR, B.A., B.L.
The Hon'ble GHULAM MUHAMMAD HASAN ALI KHAN BAHADUR.

The Hon'ble K. KALYANASUNDARAM AIYAR.—Before the regular business of the Meeting commences, I beg to make a few remarks on a subject connected with interpellation. I want to know whether your Excellency will permit me to do so.

His Excellency the PRESIDENT.—Is it in explanation?

The Hon'ble K. KALYANASUNDARAM AIYAR.—It is with reference to the answer to a question in which I was referred to a paper in the Government office.

His Excellency the PRESIDENT.—Is it about a previous question?

The Hon'ble K. KALYANASUNDARAM AIYAR.—Yes, my Lord.

His Excellency the PRESIDENT.—Then you may make your remarks and I shall be glad to hear what you have to say.

The Hon'ble K. KALYANASUNDARAM AIYAR.—Your Lordship is aware that at the Meeting of the 14th November I put a question regarding a certain accident by fire which had occurred at Tiruválúr at a recent festival. The answer given

was that a full report had been received from the District Magistrate of Tanjore, and that if I applied to the Secretary it would be shown to me. I thought, my Lord, that by applying by letter to the Secretary I could get a copy of the report, so in the beginning of December I wrote to the Chief Secretary for a copy. I received an answer about a fortnight afterwards stating that Government regretted its inability to comply with my request, but that if I personally attended at the Government office I might look into the papers and take a copy. It seems to me that some more satisfactory way of supplying information to Members should be devised. I think it would be best if the answers themselves were self-contained. If the answers cannot be given except in the form of a reference to the necessary papers, it seems to me either these papers should be placed on the Council table or that they should be sent to the Members with full liberty to make use of them as public documents. This would be a more satisfactory way of supplying information. It seems to me that in order that we may discharge our duties in a more dignified manner, it is necessary that we should not be put to the necessity of attending at the Government office and being compelled to take copies of papers for ourselves.

His Excellency the PRESIDENT.—I believe that in this particular case the Hon'ble Member was referred to the office for the report he wished to see. In replying thus the Government was only following the ordinary procedure that when Hon'ble Members wish for particular information, they are referred to the office, where they can get what they seek for. But if this course is inconvenient to Hon'ble Members, Government has no objection to sending papers to them. On this occasion, I understand, there was some particular reason why the papers were not printed and published as the Hon'ble Member wished, and all the information he desired could have been placed at his disposal more readily and easily by referring him to office papers. This is not an unusual procedure, but Government does not wish to press the point if it is inconvenient to Hon'ble Members.

A NEW MEMBER.

The SECRETARY:—I have to announce to your Excellency that the Hon'ble Ghulam Muhammad Hasan Ali Khan Bahadur has taken his seat as an additional Member of Council.

PETITIONS.

The SECRETARY.—The following petitions with regard to the Proprietary Estates' Village Service Bill have been received since the last meeting:—

(1) From P. Narasinga Patnayak, Karnam of Purushotkara, &c., villages of the Sarvakóta mitta in Parlákimedi taluk, Ganjám district, dated 20th December 1893.

(2) From the Proprietors and Haqdars of the Hindu Temple Service Inams residing at Madura, dated 1st January 1894.

One is a copy of a petition previously received, and the other has been printed and circulated to the Hon'ble Members already.

The Hon'ble Mr. GARSTIN.—I move that these be taken as read.

The Hon'ble K. KALYANASUNDARAM AIYAR seconded the motion which was put to the Council and carried.

QUESTIONS.

The first question that stood in the name of the Hon'ble BHASHYAM AIYANGAR was as follows:—

"I. Uncovenanted Medical Service—

(a) What are the appointments specified in the resolution of the Government of India in the Home Department (Medical), No. 17—481-94, dated 31st October 1884, which may be filled by Uncovenanted Medical officers who are licentiates or graduates in medicine and surgery, under the rules prescribed by the Government of Madras in the notification No. 228, dated 12th May 1885, and published in the *Fort St. George Gazette* of the 26th May 1885?

(b) Have any permanent appointments of Uncovenanted Medical officers been made under the said rules, and if so, what is the number of such appointments?

(c) How many licentiates or graduates in medicine and surgery of Indian Universities are employed in the Civil Medical Department of this Presidency and what are the classes of posts held by them?

(d) Has there been any despatch from the Secretary of State or any resolution from the Government of India since the date of the said notification in regard to the prospects of Uncovenanted Medical officers, and if so, will the Government be pleased to lay the same before the Council?

(e) Is there any, and if so what, objection to the appointment of Uncovenanted Medical officers to one of the three posts of Physicians and to one of the three posts of Surgeons attached to the General Hospital at Madras, and if there is none, will the Government be pleased to consider the desirability of making such appointments?"

His Excellency the PRESIDENT.—With regard to the first question I will not put the Hon'ble Member to the trouble of reading it. I regret that the Government was not able to obtain the information which he calls for in the first question which he has put. If the Hon'ble Member will kindly give notice of it, for the next meeting, we shall then be in a position to give the information.

The Hon'ble V. BHASHYAM AIYANGAR.—So I mentioned in my letter. I do not think it is necessary for me to give notice of it again.

His Excellency the PRESIDENT.—Then we will leave it as it is. The Hon'ble Member can put his other questions.

The Hon'ble V. BHASHYAM AIYANGAR.—"(a) Has any despatch from the Secretary of State or any resolution of the Government of India been received in reference to the recommendation made by the Public Service Commission in December 1887 about recruitment in part for the grade of Assistant District Superintendents of Police by limited competition amongst candidates selected in India, and if so, will the Government be pleased to lay the same before the Council?"

The Hon'ble Mr. BLISS.—The whole subject of recruitment for the upper grades of the Police Department has been and is still under discussion, and the Government cannot at present lay any papers before the Council or give any information in regard to the matter.

The Hon'ble V. Bhashyam Aiyangar.—" (b) What is the present system of recruitment for the grade of Assistant District Superintendent of Police in this Presidency?"

The Hon'ble Mr. Bliss.—Except that a certain number of officers have been obtained by competitive examinations in England, the method of recruitment to be followed in future is still under discussion.

The Hon'ble V. Bhashyam Aiyangar.—" (c) Whether of the 17 appointments mentioned by the Public Service Commission in paragraph 116 of their report as being, at the time of their report, held by natives out of a total of 375 appointments in the superior grades of the Police force in the provinces to which their enquiry extended, any were held by natives in this Presidency and whether any natives have since been appointed in this Presidency to any such grades?"

The Hon'ble Mr. Bliss.—The answer to both parts of this question is "No."

The Hon'ble V. Bhashyam Aiyangar.—" (d) Whether the Government has any intention of adopting the system of partial recruitment in India for the grade of Assistant District Superintendent of Police in this Presidency by limited competition amongst selected candidates, or otherwise?"

The Hon'ble Mr. Bliss.—This question has been answered under (a).

The Hon'ble K. Kalyanasundaram Aiyar.—If the Government has not been able to get the information in regard to my first question I have no objection to postpone it.

His Excellency the President.—The Hon'ble Member is under a misapprehension. I do not fancy that at the next meeting of the Council the Government will be in a better position to answer than it is at the present moment, unless the Secretary of State and the Government of India give us further information.

The Hon'ble K. Kalyanasundaram Aiyar then read his first question which was as follows:—

"I. Whether under the existing rules of service there is any objection to the promotion of select Inspectors of Police to the grade of Assistant Superintendent, and if not, whether it is the intention of Government to give Inspectors of proved ability and character at least a trial in the higher ranks of the service?"

The Hon'ble Mr. Bliss.—I regret that I cannot give the Hon'ble Member any other answer than that which I have already given to the Hon'ble Bhashyam Aiyangar's question lettered (a).

The Hon'ble K. Kalyanasundaram Aiyar.—"II. Will the Government be pleased to state the cost incurred during the last five years on account of the Government's trip to Ootacamund, and also to what fund this item of expenditure is debited?"

The Hon'ble Mr. Bliss.—(i) The cost incurred by the move of Government to and from the hills during the years 1889–1892 was as follows:—

	RS.	A.	P.
1889	36,286	2	9
1890	36,162	1	7
1891	38,135	10	8
1892	26,820	1	1

The figures for 1893 are not yet available, but, judging from the expenditure incurred in the Chief Secretariat, the amount will be, approximately, about Rs. 35,000.

(ii) The item is a Provincial charge, and the expenditure is taken to the heads 18. *General Administration* and 45. *Civil Works—Public Works Department.* Some trifling amounts are also booked against 24. *Medical.*

The Hon'ble K. KALYANASUNDARAM AIYAR's third question was as follows :—

"III. Has the local Government promised any support to the Pasteur Institute which seems to be about to be established in the north of India? Is the Government aware that a printed letter condemning M. Pasteur's treatment for preventing deaths from the bites of dogs and other animals alleged to be rabid has been circulated by a society called 'The Victoria Street Society for the Protection of Animals from Vivisection?' Can the Government give any information showing the value of the treatment in question?"

His Excellency the PRESIDENT.—The Government is not in a position to answer the third question. It will be left on the paper and answered at the next Meeting.

The Hon'ble K. KALYANASUNDARAM AIYAR.—"IV. Will the Government be pleased to order the early extension of the provisions contained in clauses (2) to (8) of section 9 of the Village Courts' Act to some of the more important districts of the Presidency, such as Tanjore, Trichinopoly, Madura, &c.?"

The Hon'ble Mr. BLISS.—As stated in my reply to a question asked by the same Hon'ble Member on the 12th ultimo, reports in regard to the working of clauses (2) to (8) of section 9 of the Village Courts' Act have been called for from the Collectors of the districts in which they have been in operation for a year. When these reports have reached the Government, the advisability of extending the provisions in question to other districts will be considered.

The Hon'ble K. KALYANASUNDARAM AIYAR.—"V. Whether in addition to the educational facilities offered to Pariahs in G.O., dated 6th March 1893, No. 493 L., the Government has before it any general scheme for affording special agricultural facilities to them in the whole or any part of the Presidency?"

The Hon'ble Mr. GARSTIN.—In passing orders on the Pariah question the Government pointed out that lands bought in by Government at sales for arrears of revenue are at the absolute disposal of Government and are available for allotment to Pariahs. The extent of such lands at the date of the order in the Chingleput district alone was about 1,500 acres. The Collector of that district was instructed to assign them in small plots to such members of the Pariah community as have the capacity to cultivate them with advantage, special care being taken in the selection of the assignees. No general scheme for affording special agricultural facilities to the Pariahs other than that above indicated has been formulated and the Government is awaiting report on the action taken on its order. The Collector of the Kistna district has sent in some proposals, but they merely amount to a suggestion that some 20,000 acres in Gudiváda taluk proposed to be brought under irrigation, should be assigned to Pariahs and other low castes. The scheme has not, however, been worked out.

The Hon'ble K. KALYANASUNDARAM AIYAR.—"VI. Whether in thickly populated districts, such as Tanjore, Government will be pleased to strictly forbid the conversion, in future, of lands reserved for communal purposes into *putta* lands, and to issue orders for appropriating them exclusively to the purposes for which they have been set apart."

The Hon'ble Mr. GARSTIN.—The Government recognizes the importance of the reservation of communal lands. They believe that their allotment on putta is very rare, but they will refer the matter to the Board of Revenue for report whether, in districts like Tanjore, such allotment should be absolutely forbidden.

The Hon'ble K. KALYANASUNDARAM AIYAR.—"VII. Whether the Government will be pleased to give a talukwar statement of the amounts sanctioned for, and spent on, the following items in the Tanjore district during the last five years:—

(a) the clearance of minor irrigation channels, and
(b) other improvements to the same."

The Hon'ble Col. PENNYCUICK, R.E.—By the expression "Minor irrigation channels" the Hon'ble Member presumably means what are technically called "distributaries," as distinguished from "Main canals and branches" of the Cauvery delta system. In this delta natural rivers take the place of main canals. There are 844 miles of main canals and branches and 1,250 miles of distributaries. Outside the delta there are 51 tanks under the Public Works Department and 599 tanks under the Revenue Department, but there are no channels.

For administrative purposes the expenditure on "clearance" is not distinguished in the accounts from other outlay on "Earthworks," neither is it booked by taluks, and such a statement as the Hon'ble Member desires could only be compiled by the Executive Engineers of Tanjore and Negapatam from the records of their offices, and the compilation would be a work of considerable labour, as the figures would have to be picked out from the accounts of a large number of small estimates. The subjoined table gives the outlay on distributaries during the previous five years exclusive of establishment and tools and plant charges:—

	Extensions and improvmemts. Outlay on earthwork.	Maintenance and repairs. Outlay on earthwork.
	RS.	RS.
1892-93	1,415	16,602
1891-92	5,254	15,896
1890-91	7,309	17,370
1889-90	10,132	17,743
1888-89	6,657	10,884

If the Hon'ble Member still wishes for the more detailed statement referred to in the question, and will let me know whether the meaning which I attach to his use of the term "Minor" is correct, the statement will be prepared, but for the reasons already stated the preparation will take some time.

If the Hon'ble Member will inform me privately of the purpose for which he wants this information, it is quite possible that I may be able to meet his views by a quicker and less troublesome process.

The Hon'ble K. KALYANASUNDARAM AIYAR.—I shall do so. My last question is as follows:—

"VIII. Will the Government be pleased to state whether any, and if so what, steps have been taken to carry out the orders, issued some considerable time ago, directing the removal of the head-quarters of the Collector of Tanjore from Vallam to Tanjore?"

The Hon'ble Mr. GARSTIN.—Plans and estimates for a new office for the Collector at Tanjore have been called for from the Public Works Department. Until these have been sanctioned and the buildings built, the head-quarters cannot be transferred from Vallam. There has been considerable delay in the matter, owing, it is believed, to correspondence between the Board and the Collector and the Government Architect in settling the site and general design of the buildings.

His Excellency the PRESIDENT.—The Hon'ble P. Rangayya Nayudu will put his three questions together.

The Hon'ble P. RANGAYYA NAYUDU.—

"(1) Whether the attention of Government has been drawn to the proceedings of a public meeting held at Salem under the presidency of the Rev. F. Foulkes praying for the transfer of the General charge Deputy Collector from Salem, published in the *Madras Mail* of December 16th?

"(2) Whether the Government has received from the Chairman of the said public meeting the memorial adopted thereat which enumerates some very grave irregularities alleged to have been committed by that officer?

"(3) Whether it is the intention of Government to take immediate steps to remove that officer from that district and institute independent enquiries regarding the alleged irregularities?"

The Hon'ble Mr. GARSTIN.—The replies to the first two of the Hon'ble Member's queries are in the affirmative and the reply to the third is in the negative. The Government has no intention of removing the officer alluded to till it is satisfied that his conduct was blameworthy. A full report has been submitted to the Board of Revenue by the Acting Collector on the subject and will be shortly disposed of by Government in dealing with the Board's Proceedings thereon.

MADRAS PROPRIETARY ESTATES' VILLAGE SERVICE BILL.

The Hon'ble Mr. GARSTIN.—I move an amendment to proviso (iii) of section 25 of the Bill by the substitution of the words "in like manner" for the word "likewise" in line 44.

The Hon'ble Mr. BLISS seconded the amendment.

The amendment was put to the Council and carried.

The Hon'ble Mr. GARSTIN.—In section 33, line 14, I propose to add at the end the words "or the holder of an inam from recovering in like manner any sums recoverable by him from tenants under section 25." The object of the amendment is merely to place the holder of an inam on the same footing as other proprietors.

The amendment was seconded by the Hon'ble Mr. Bliss and when put to the Council was carried.

The Hon'ble Mr. GARSTIN.—I propose my Lord that a new section be inserted at the end of the Act to provide for the contingency of the promotion of a Divisional officer to be Collector in the same district, in which contingency it might be possible for him to sit in appeal against a decision which he had himself passed. Therefore I propose to add the following section:—

"34. If the officer to whom an appeal is presented under this Act in the capacity of District Collector happens to be the officer who passed the decision

which is appealed against in the capacity of Revenue officer in charge of a division, he shall report the fact to the Board of Revenue, and the appeal shall be disposed of by the said Board, whose decision shall be final."

The Hon'ble K. KALYANASUNDARAM AIYAR seconded the motion.

The proposition was put to the Council and carried.

The Hon'ble Mr. GARSTIN.—I now move, my Lord, "that the Bill as amended be passed into law."

The Hon'ble Mr. BLISS seconded the proposition.

The Hon'ble the MAHARAJA OF VIZIANAGRAM.—In supporting this motion, I beg to say a few words with your Lordship's permission, as this Bill has been the cause of great controversy. I think the words of the late Lord Elgin when he wrote to Sir Charles Wood, the then Secretary of State for India, on the 6th May 1863, will be of interest to the general public. He said :—

"I am wholly opposed to that prurient, intermeddling policy which finds so much favour "with certain classes of Indian officials. It is constantly bringing us into equivocal situations, "in which our actions and our professions of respect for the independence of other nations "are in contradiction, and in which our persisting becomes tainted with the double reproach "of inconsistency and selfishness. Nothing, in my opinion, can be more fatal to our prestige "and legitimate influence. My wish for England is that she should, in this Eastern world, "establish a reputation of being all-just and all-powerful, but, to achieve this object, we must "cease to attempt to play a great part in small intrigues, or to dictate in cases where we have "no positive interests which we can avow or consider sufficiently distinct to enable us to speak "plainly. We must interfere only where we can put forward an unimpeachable plea of right "or duty, and when we announce a resolution our neighbours must understand that it is the "decree of fate."

I think, my Lord, in giving your permission to the passing of this Bill your Lordship is simply and plainly upholding the legitimate and impeachable object of right and duty in your responsible trust and high position as Her Majesty's representative ruler in this Presidency. It will be a great boon to the public and to Government if this Bill is passed into law.

The Hon'ble P. RANGAYYA NAYUDU then read the following speech :—

MY LORD,—I rise to oppose the passing of the Bill on the following grounds. Though a number of amendments were proposed, those that were designed to alter the Bill materially so as to minimise its evils have not been accepted, and as it stands now, the Bill is sure to inflict on the landed proprietors and karnams considerable loss and render their position one of no ordinary difficulty. There is firstly, my Lord, no necessity whatever to pass the Bill so hastily and at a sitting of the Council during the Christmas Holidays. The consequences of the Bill are so far-reaching, so ancient is the arrangement which the Bill seeks to disturb and so great and so numerous are the objections urged by those whom the Bill affects that to me it seems it would be wise to allow further time to the public to consider the changes about to be introduced and to make the Bill as harmless as possible, without however foregoing the object of the Government, viz., the devising of a method to ensure the timely submission by karnams of statistical and agricultural accounts. There are four parties affected by the Bill—the ryots, the Village officers, the zemindars and the Government. The Bill, if it is passed into law to-day, will jeopardise the interests of the first three classes, and in the long run the temporary advantages which the Government wishes to secure will be more than

counteracted by the serious blow it deals to the prosperity of the ryots, the Village officers and the zemindars. Now the karnam has to look to the ryot for a part of his emoluments and therefore has every motive not to harass him, but to assist him and supply him with any information he may require. Once the karnam knows that he is perfectly independent of the ryot and that his pay is guaranteed to him by some other agency, his attitude to the ryot is certain to be hostile. The ryots then in addition to the cess may be compelled to make the customary contribution to obtain his services, but there will be this great difference that while now the payment secures mutual dependence, under the altered conditions the karnam would be perfectly independent of the ryot. The Hon'ble Mover stated that "the village commune, with its establishment of village officers, is the corner stone and type of the district administration." It is this corner stone that is now attempted to be turned upside down and to be misplaced. "The village officers are thoroughly in touch with the villagers of their villages" says the Hon'ble Mover. But the Bill introduces an apple of discord and is likely to destroy the little good feeling which may prevail now between the ryot and the village officials. The introduction of the Village Cess Act into ryotwari villages already destroyed the old salutary village Municipal Government. The talayáris in these villages refuse to prevent cattle trespass, to watch crops in the fields and the heaps of grain and straw on the threshing ground, and in short to do their legitimate duties to the ryots as hitherto. This will no doubt be the attitude which the talayáris would assume in the proprietary villages, when they are to be paid by Government officials and they will then become the servants of Government and not of the ryot or proprietor. Next coming to village officials there is at present no complaint whatever from them that they are not properly remunerated. There is, therefore, absolutely no grievance which the Bill can redress and consequently there seems to be no necessity for change in the system of payment so far as they are concerned. The Hon'ble Mover fixes the highest pay that might be given for a zemindari karnam at Rs. 5. As a matter of fact, however, some of the karnams now in a zemindari village gets three times, nay even six times this sum. Under the new arrangement, the karnam has to obey more than one master and to do a great deal of additional work. Therefore a large number of karnams with considerably less pay, but with twice as much work, will be let loose upon the ryots and the Government cannot maintain even the existing efficiency. The Revenue Board admits that they do not suffer from inadequate emoluments and there is no paucity whatever of karnams in the zemindari villages. There is consequently no need for the redistribution and amalgamation of villages as contemplated by the Bill. Thirdly looking to the zemindars it is impossible to imagine that their position could be rendered worse than this Bill would make it, if it becomes an Act of the Legislature. They have now only one report to make to the Revenue officials, about those they appoint when vacancies occur. According to the Bill they have to submit a number of reports and three returns. Whereas they are only liable now to be fined once, according to the Bill they are made liable to be fined thrice. While thus the responsibilities have been increased, the zemindars have been deprived of any effective control over the karnams, though they prayed for more powers. In short, they will be on the one hand at the mercy of the karnams and on the other at that of the Revenue Divisional officers. No private agency of any respectability would ever submit willingly to such a suicidal plan. To make the landed proprietor answerable for failure of a duty, of a duty the satisfactory and regular discharge of which depends solely on the implicit obedience of his servants and at the

same time to make the servants to look to their pay and dismissal to some other source, is to make the position of the zemindar intolerable. This has no parallel, my Lord, in the history of any modern administrative institution. The large landed proprietors can no longer be confident of the loyalty of their village officials. They must, in addition to paying the new cess, employ their own men and incur additional expenditure to escape the penalties that the law threatens them with and to get accounts in time to enable them to collect their rents.

What is more deplorable still is to give additional powers to Divisional officers over zemindars and their village officials. Is this arrangement conducive to the expeditious despatch of business? The Divisional officer has already to attend to multifarious duties and his work is in arrears for months, nay years. So long as he continues to be a Magistrate, he will be dreaded by the landed proprietors, and the new power which he is empowered to exercise over the zemindars will be productive of immense injury, and will *ensure* the servility of the zemindars. He has to go on circuit often. He has no open Court such as the Civil Courts hold. The Divisional officer may hold his office wherever he pleases. While he may not be able to do justice to the additional work thrown on him, the zemindars are deprived of the methodical and unexceptionable way in which Civil Courts dispose of the cases on their file. Moreover by this Bill the Divisional officer becomes the complainant and Judge, and we find from memorials before the Government that both the karnams and proprietors object to the Revenue officials being invested with powers proposed in this Bill. It is, therefore, of paramount importance that the Divisional officer should not be invested with the new powers. If the Civil Courts are invested with a summary jurisdiction in such cases, the zemindars and karnams will have more facilities to make good their complaints and secure speedy justice. The Divisional officer presents a perfect contrast to the Civil Court. The former is an itinerating officer, but the latter is fixed to its place; the place where and the hour when the former holds his office are uncertain, but with regard to the latter, no such uncertainty exists. The Divisional officer comes in contact with the zemindar and his subordinates in so many other matters, as a Magistrate, as an Income-tax Collector, &c., that he has invariably many opportunities to form strong likes and dislikes; whereas the officer who presides over a Civil Court is free from all such prejudice. The former is not bound by any unalterable methods of procedure while the latter has a routine which he has to respect and cannot violate. Lastly, my Lord, the Bill is founded on no sound financial basis and on ascertained conditions and facts but on surmises. The Mover himself admits that he does not know the revenue and cost of the establishment of the proprietary estates. He only proposes an experiment, and the zemindars have a right to demand that a cut and dry scheme showing the income and costs be furnished first and the Bill proceeded with afterwards. My Lord, I regret to observe that the past policy of the Government is not calculated to inspire confidence in the public mind. When the village cess was imposed, the Government disclaimed all intention of making a profit out of it. But so large is the accumulated balance in favour of Government now, that the ryots say that the cess will be abandoned. This their belief when proved to be unfounded will create deep discontent. My Lord, the Board of Revenue, we were told the other day, has its hands so fully engaged that the presence of parties or agents would seriously hamper the transaction of public business. I am not sanguine now that if that be so, the Board of Revenue can cope with the additional work the Bill throws on it. I concede, my Lord, to the fullest extent to the Government the right to obtain in time reliable statistical information. But this can

be achieved by a few additions to and alterations in the existing Regulations and Acts on the subject without reducing the zemindars to a helpless condition. Either the zemindars should possess complete control over their Village officers or the Government must relieve the zemindars of all direct responsibility and hold the karnams wholly responsible for the despatch of returns. If only a small commission of experienced Official and Non-officials is now appointed to enquire into the whole question, much valuable light will be thrown on the subject and the Government will be enable to enact a law which would meet with the approval of all concerned. The zemindaris have existed under the prevailing condition, from time immemorial and if an innovation, so radical as the Bill conceives, is to be introduced, we must enlarge the sphere of our enquiry and must have more time at our command to make a thorough investigation into the matter. As it is there is no doubt that the Bill will subject the proprietors and karnams to considerable inconvenience and annoyance and loss, and the Government has not made out a case to necessitate so radical a change in the existing law to the detriment of the three parties above mentioned. I therefore entreat the Members not to pass this Bill into law.

His Excellency the PRESIDENT.—Do I understand the Hon'ble Member to be simply speaking against the Bill or does he object under rule 48 ?

The Hon'ble P. RANGAYYA NAYUDU.—I object under rule 48.

His Excellency the PRESIDENT.—The objection prevails unless the Council otherwise orders.

The Hon'ble Mr. H. W. BLISS.—My Lord, the Hon'ble Member has objected to the passing of the Bill at this meeting, because amendments have been passed at this meeting. I believe technically this is not a separate meeting, but a continuation of the meeting that we held last month. There has not been a very large number of amendments made at this meeting. For all practical purposes this is a separate meeting although it may not be technically so; and it is also certain that the amendments which have been proposed and passed at this meeting are of the most trivial description and of such a character that no time was necessary for their consideration. They have not in any way altered the scope of the Bill, and they merely tended to make it rather clearer and to fill up one or two accidental omissions; and therefore I venture to think, my Lord, that the Hon'ble Members' objection to the passing of the Bill at this meeting must be regarded as being, in the parliamentary sense, only obstructive. It can serve no possible good object. There is one strong reason why this motion should not be taken into account. Unfortunately we shall in a few days lose the services of the Hon'ble Member who has been in charge of the Bill and who is by far the best qualified among us present here to deal with all the questions that may rise regarding this Bill. As that is well known, it is hardly necessary for me to say any more; and it seems to me that it is essential in the public interests that the Hon'ble Member who has undertaken the weighty and onerous duty of the preparation of the Bill, its conduct through the Select Committee twice and still further its conduct through three meetings of this Council should be allowed to remain in charge of the Bill to the end. I therefore, my Lord, beg to move that the Hon'ble Member's amendment be not allowed to prevail.

The Hon'ble Mr. J. F. PRICE seconded the motion.

His Excellency the PRESIDENT.—The question is that the objection which has been brought forward by the Hon'ble P. Rangayya Nayudu be not allowed to prevail. As no Hon'ble Member seems anxious to continue the discussion, I should like to say a few words before proceeding to a division on the subject. The Hon'ble Member in his objection stated that he did not wish the Bill to be deferred for further consideration, but that it should not be allowed to pass at all, because he considers that a commission of enquiry should be appointed before a Bill of this kind is passed. The question really to be decided is whether this Bill should or should not be allowed to proceed, and if it is not allowed to proceed whether a commission should be appointed. This is a point which has been thoroughly investigated, and a great deal has been said on both sides. It appears to me, so far as three years' experience of the working of the administration of this Presidency is of any value to guide me, that the arguments brought before me by those entrusted for many years with the administration of the revenue in this Presidency go to show that a Bill on the lines of the one now before the Council will meet the difficulties that have surrounded this particular question for a vast number of years (hear, hear). The zemindars, karnams, ryots and even Government itself have been placed under great disadvantages owing to the existing order of affairs. I should like to say most strongly on behalf of Government what my personal views are on this matter. I have had occasion during a period of three years to travel over the greater part of the Presidency at a time when it has been threatened with scarcity and, in many cases, almost with famine. In the course of my tours I have had occasion to go through a great many zemindaris. Wherever I have been I have met District officers, who told me they were placed under great disadvantages on account of a want of knowledge of the people of and of the statistics relating to zemindari villages. The Government is responsible—it is held responsible in the eyes of the civilized world—for the maintenance of the life of every single soul in the Presidency. If it does unfortunately happen that a single person is reported to have died of starvation the matter is referred to in the House of Commons. The English people look with the greatest anxiety on the manner in which Government is carrying on the work of this country for protecting the people from starvation. I am bound to say I have felt the greatest responsibility attaching to me when I went through the zemindari tracts. I distinctly felt how impossible it is to carry on the work of looking after the people properly unless we are placed in a position more efficiently to control the Village officers in zemindari tracts. The English people make no difference between ryotwari villages and zemindari villages, and, if anything goes wrong, Government is held responsible. I am bound to say I should feel the greatest diffidence and the greatest anxiety, if the Presidency were again threatened with a similar serious calamity, unless something was done to put the matter on a better footing. A great deal has been said about my management or want of management, but I must say, without taking any credit to myself, that I think the District officers carried out their work, which was most arduous and difficult, with great credit to themselves (hear, hear) in spite of the fact that they had to deal in great many instances with a large number of the people that were living in zemindari tracts. If we have to face anything like this calamity again, I really tremble to think what will happen to zemindari tracts, unless Government is placed in a position of greater control over the officers and people who live in these zemindari villages. Under these circumstances, it is only right that we should arm ourselves against such difficulties as we have had to face in the past. I honestly believe the interests of all parties will be considerably safe-

guarded and protected by the Bill which we have before us. A great deal has been said about various irregularities in the matter of bringing the subject forward; but I do not think that it can be said, considering the manner in which the Bill has been discussed, and the manner in which it has been dealt with by the Select Committee, that any injustice has been done to any of those concerned. We have already gone out of our way to give special facilities to the Landholders' Association to be heard by counsel—the karnams also have been heard by counsel—and we have given most careful and deliberate attention to all matters connected with this Bill. I therefore deprecate the throwing out of the Bill, after the labour that we have spent upon it, and the appointment of a commission to consider the subject absolutely *de novo*.

The Hon'ble N. SUBBA RAO.—I wish to say a few words on the financial aspect of the Bill. My remarks do not in any way refer to the general provisions of the Bill.

The Hon'ble Mr. BLISS.—The question is that the objection of the Hon'ble Member under Rule 48 be not allowed to prevail.

His Excellency the PRESIDENT.—I think the Hon'ble N. Subba Rao's remarks had better come in on the motion to pass the Bill. The motion now before the Council is that the objection of the Hon'ble P. Rangayya Nayudu be not allowed to prevail.

On the motion being put to the Council, there were—

For	17
Against	2
Majority for	15

His Excellency the PRESIDENT.—The original motion is now before the Council, *viz.*, that the Bill be passed into law.

The Hon'ble N. SUBBA RAO.—At the last meeting of the Council, I wished to know if this Bill would impose additional taxation on the proprietors and tenants or whether it simply enforced the old condition of things and in the words of the Board of Revenue in their resolution, dated 18th December 1888, whether "the cess now proposed to be levied is in lieu of existing charges and its relative incidence is as far as possible in proportion to the charges now actually borne by parties." I believe, subject to correction, that the Hon'ble Member in charge of the Bill has no further information to give than what he has already given in his lengthy statement when presenting the report of the Select Committee to the Council. If that is so, then we have to see how matters actually stand before we pass the Bill into law and whether any additional taxation is imposed by this Bill. According to the statement of the Hon'ble Mr. Garstin the cost of the scheme is put down at 17 lakhs and the present cost of the establishment of the Village officers is estimated at $12\frac{3}{4}$ lakhs; he therefore estimates that the additional taxation that would be imposed by this measure would be $4\frac{1}{4}$ lakhs. At the last meeting of the Council when I referred to this subject I was told that the figure $12\frac{3}{4}$ lakhs was a mere guess. But I submit it is necessary for us to know whether this Bill does, as a matter of fact, impose additional taxation, because, if it does impose additional taxation, I submit it will become the duty of Government to take its own share of the burden in carrying out the provisions of the Bill. If it becomes necessary that the sanction of higher authorities should be obtained for that purpose, I

submit that the sanction should be obtained, and that the sanction should be placed before the Council, so that the parties affected by this measure may learn that the Government, anxious as it is to place these Village officers on an efficient footing, is willing to take its own share of the burden. I am afraid that the measure of additional taxation, namely $4\frac{1}{4}$ of lakhs, as given by the Hon'ble Member in charge of the Bill, is not correct, because the present contribution by Government towards the upkeep of the village establishments is estimated by the Hon'ble Member in charge of the Bill at 8 lakhs nearly, viz., the produce of inams granted or continued by the State at 7 lakhs and reduction from peshkash to be re-imposed at 1 lakh. If the total cost of the present establishment is $12\frac{3}{4}$ lakhs, then the portion borne by the proprietors and tenants in the shape of grant lands, in the shape of payments, fees and meras, or in the shape of money payments is $4\frac{3}{4}$ lakhs. Now the cess to be imposed is estimated at $10\frac{1}{4}$ lakhs and, deducting $4\frac{3}{4}$ths, the measure of additional taxation is $5\frac{1}{2}$ lakhs and not $4\frac{1}{4}$, *i.e.*, 5 pies and not 4 pies in the rupee, as estimated by the Hon'ble Member. Now the proportion of the cost borne by the State to that borne by the proprietors and the tenants is as 8 : $4\frac{3}{4}$ lakhs, and under the Bill it is proposed to be as 8 : $10\frac{1}{4}$ lakhs, *i.e.*, in other words, while the contribution by the State remains the same, the liability of the zemindars and the tenants is more than doubled. According to the principle laid down in this Bill the cess will be borne by the proprietor and the tenant in the proportion of two to three, in other words, the proprietor will have to pay 2 lakhs and the tenants 3 lakhs out of the 5 lakhs of additional taxation imposed by this measure. It must be mentioned in this connection that out of the 2 lakhs which the proprietor has to pay, he gets credit in the shape of inams that may be resumed under this Bill to the extent of 1 lakh; and therefore the measure of additional taxation falling on the proprietor is 1 lakh, whereas the measure of additional taxation falling on the tenant is 3 lakhs. When we examine the statement upon which the Hon'ble Member has based his figures, we find that it is not really 3 lakhs which is thrown upon the tenant, but much more. I must thank the Government for having favored me with a copy of the statement on which the Hon'ble Member based his estimate, and I wish the statement were in the hands of the Council.

The Council will see that the measure of additional taxation, which I have sketched out according to the figures given by the Hon'ble Member, bears no comparison whatever with the actual figures given in the statement. If we take district by district (it is only a District Fund that is constituted under this Act and not a Presidency Fund) we find that the amount of additional taxation falling upon the tenant is much more than what has already been stated to your Lordship. For instance, let us take the estate of Vizianagram. According to the figures given, the tenants there at present pay a sum of Rs. 938 out of the total cost of the village establishments amounting to Rs. 1,32,333, so that, if these figures are correct, the tenants in the Hon'ble the Maharaja of Vizianagram's estate pay practically nothing at all towards the upkeep of the village establishment. In substitution of the present payment this cess of 10 pies in the rupee is now imposed upon the tenantry. The same may be said if we take the estate of Pittapur, or the district of Cuddapah, or any other district affected by this Bill, except the districts of Kistna and Nellore, where the tenantry now pay nearly half—in the one case a little less and in the other a little more. In all the other estates, the tenant's burden is infinitesimally small, when compared with the total cost incurred on account of these village establishments. I would therefore ask

your Lordship whether, under these circumstances, the present state of things should be so changed as to place a heavy burden on the tenants. It strikes me that, while some portion of the burden is thrown upon the proprietors, the greatest burden is thrown upon the ryots; and that fact is apparent, I submit, on the face of the statement submitted by the Board to Government with its Proceedings, dated 11th November 1893. Now, if we look at the share borne by the Government, we find that it also varies in different districts, and when the new Act comes to be worked, it will be found that the share of the burden which the State will bear will be proportionately less than the burden that will fall upon the tenants and proprietors. I make these remarks subject to correction. The statement now before me no doubt relates to all the five offices that were originally included in the Bill and is not specially limited to the three offices to which the Bill has now been cut down, but that does not appear to me to make any difference. Whether it is three or five there is an inequality of burden thrown upon different parties who are interested in the upkeep and the efficiency of the village establishments. I submit, therefore, that this matter has to be thoroughly gone into. It would have been well if it had been done before the Bill could be passed into law; but apparently that is not possible. Though the Government asked for the information so far back as 1891, that information, fragmentary and incomplete as it is, was only furnished on the 11th November last. I offer these remarks in view that the various inequalities mentioned may be taken into careful consideration, and the Act be worked in such a way that the burden may fall justly, fairly and equally on all parties affected by this measure.

Another point I wish to mention in connection with this Bill is that the Hon'ble Member in charge of the Bill seems to think that the contribution by the State is nearly 8 lakhs of rupees, 7 lakhs realized by enfranchising the lands attached to the offices, and 1 lakh being deductions from peshkash to be re-imposed. In calculating the cost of the scheme of the village establishments at 17 lakhs, the Hon'ble Member seems to think that, inasmuch as 8 lakhs are contributed by Government and 10¼ lakhs are raised by the cess, there is 18¼ lakhs available—a little over and above the estimated cost. But it strikes me that there is a mistake in this calculation likewise. On looking at the statement showing the probable amount of quit-rents realizable by the enfranchisement of inam lands in proprietary estates, I find that the income which Government may derive by enfranchising the inams is only 4½ lakhs and not 7 lakhs; and that the 7 lakhs is the full assessment that might be derived from these inams, and not the partial assessment contemplated under this Bill. Therefore, we may take 4½ lakhs as the contribution, if contribution at all, by the State towards the upkeep of the establishments inasmuch as the other 2½ lakhs, which is, as it were, remitted in favor of the holders of these lands becomes of no value and cannot be taken into account in working the village establishment under this Bill. It must also be mentioned that these inam lands, once enfranchised, become the private property of the incumbent and are no longer attached to the offices, and the income derived from the lands cannot be taken towards the cost of the establishment. Once the lands are enfranchised, the incumbent in whose name they are enfranchised can alienate them and deal with them as he pleases. Therefore, there is no security hereafter, as there has been hitherto, that these lands will form the substratum on which he maintains his dignity in the village. Taking the income that can be derived from enfranchising these lands as 4½ lakhs, and adding to it 1 lakh, being the reduction from the peshkash which is to be re-imposed, the total contribution by the

State will be $5\frac{1}{2}$ lakhs. Adding $5\frac{1}{2}$ lakhs to $10\frac{1}{4}$ lakhs to be raised by the cess, the total amounts to $15\frac{3}{4}$ lakhs, showing a deficit of $1\frac{1}{4}$ lakhs, and not a surplus of $1\frac{1}{4}$ lakhs, as made out by the Hon'ble Mr. Garstin. I mention this to show that the amount is not enough to meet the cost of the establishment even according to the estimate made by the Hon'ble Member for their upkeep. The salaries which he awards to these officers are, I believe, Rs. 5, 4 and $3\frac{1}{2}$ per month—salaries which are hardly sufficient for the proper upkeep of the various establishments. When we find that there is a deficiency in this very estimate, it means that the salaries attached to these offices must be still further reduced. It is undesirable that these salaries should be further reduced, as it is necessary that these salaries should be such that the persons holding these offices should be in a position to independently discharge their duties without having recourse to the old mamools of merahs and fees. I take it that the chief object of Government in introducing this Bill is to remove all sorts of illegal and extortionary cesses and substitute for them one fixed demand. It appears to me that either this measure must be considered to be a preliminary measure for introducing another measure to increase the taxation or, as has already been said by the Hon'ble Mr. V. Bhashyam Aiyangar in connection with an amendment in regard to this Bill, that this measure is intended to be a final measure so far as the circumstances go; so that there would be no necessity for imposing additional taxation upon ryots and proprietors. I submit if it ought to be, and I hope it will be, a final measure of taxation, it behoves Government to contribute a substantial portion of the additional cost to see this Bill worked successfully. It is hardly necessary for me to say that, with regard to the tenants in proprietary estates, they pay, at present, the highest rent which the land can afford, at any rate in several estates the tenants do so. These tenants are not on the same footing as the tenants in ryotwari villages, and there is no fixity of demand or periodical assessment. There is no guarantee that when rent is taken from the tenant an equal amount is left to him for his own comfort. Remembering that the tenant pays all that he can, and the zemindars and proprietors as a class are involved, I submit that any additional taxation would be viewed as a great calamity and with disfavor, and I hope that in working this Bill there will be no occasion for resorting to additional taxation. The Hon'ble Mr. Garstin has rightly stated that the Government is as much responsible for the welfare and happiness of the population in permanently-settled estates in the Presidency as for the happiness of the inhabitants in ryotwari villages, and it is but fair that, with regard to these permanently-settled estates, the burden which they are now bearing should not be increased, and that they should be protected in the matter of taxation to the same extent as those in Government villages. With regard to the tenants in ryotwari villages, the Government has generally and properly come forward with its share of contribution towards the upkeep of the village establishment, but it is singular that in this Bill there is no provision, nor is there any guarantee given by the Hon'ble Member in charge of the Bill or your Lordship, that in administering this Bill the Government will bear its share or its proportion of the cost of the village establishments. I submit these few observations for your Lordship's consideration.

The Hon'ble S. Srinivasa Raghavaiyangar.—May I ask what the Hon'ble Member considers to be a due proportion of the cost which the Government ought to contribute?

The Hon'ble N. Subba Rao.—I wish to say something on the theoretical proportion referred to by the Hon'ble Mr. Srinivasa Raghavaiyangar. I am aware that the theoretical proportion which is urged in connection with this Bill is that

the Government should pay one-third, the zemindar one-sixth, and the tenant one-half. It is also stated that according to another theory, the actual collections must be taken into account, in which case the proportion would stand as follows:—Government one-sixth, the zemindar one-third, and the ryots still one-half. But, my Lord, this is not a case of theoretical proportion, but of actual experience. The question is, how have these proportions been worked out during the last one century in the various proprietary estates? I submit it is not a question of theory, not a question of ideal proportion, but of actual fact. I submit that the statement furnished to me shows what the actual practice is. It has no relation whatever to this theoretical proportion, and I submit that the Act must be worked, and the proportions must be borne, more according to the custom and the present experience than according to theoretical standards of proportions between the different parties which have never been acted upon. If the theoretical proportions exist and are followed in practice, I say these theoretical proportions must be followed, but so long as they do not exist and new proportions have come into existence, I say the present practice must be enforced. It is with this view, I believe, that the Board of Revenue in its Proceedings, already referred to, stated that the cess now proposed to be levied is in lieu of the existing charge, and the relative incidence must be, as far as possible, in proportion to the charges now actually borne by the parties. Now, my Lord, that we are on the question of theoretical proportions, I may submit that the theoretical proportions would have a proper place if the village establishments were worked on that system on which these theoretical proportions are based. If the fund which is now raised from these villages is administered in the village itself and for the benefit of the village community, then certainly there is some pretence for enforcing these theoretical proportions, but we are no longer following the old traditionary rules on which the theoretical proportion was based. We are not following any one of the old rules. We have a fund for the whole district, and we are working it out for all the various groups of villages in the whole district. It is not administered in the village itself and the cess raised in one village is spent for the benefit of another.

The very object of this measure is to strengthen the foundations of the general administration of the country, and when we find that one portion of the country cannot bear the burden, which under other circumstances it ought to have borne, I submit that it would be the duty of Government to come to its help and assist it as far as it can. While the Government is anxious for the welfare of Her Majesty's subjects in these proprietary estates, and various measures have been passed during this century for their amelioration, the tenant has not been placed upon a proper footing and the zemindar himself has not had certain facilities granted which he has been seeking to save his estate from being encumbered and alienated. So far as the tenant is concerned the highest rent that he can pay or that he can bear is taken. Considering the special disabilities which these proprietary estates are subject to, I submit that even though the theoretical proportion has to be applied, the Government should, as a special measure, come forward for the relief of these estates. Apart from the question of theoretical proportion, I would request your Lordship to consider the desirability of working this Act more in accordance with the existing circumstances of the country. I submit that unless so worked it would throw a deal of burden on parties which they ought not to bear. I hope the Government will, before long, if it cannot do so now, declare that it also will bear its burden for the upkeep of village establishments. I feel, my Lord, in making these observations, that I am doing so on imperfect data. I very much

wish I had before me the information which the Government called for in their Proceedings, dated 17th February 1891. I wish that the information had been supplied to Government earlier, and I wish the Government had supplied that information to all the Hon'ble Members, so that they might see whether this measure would impose any additional taxation or not.

I need not, at this stage, go into the question whether the payment in cash is or is not more convenient to the tenant. There are numerous other questions that hinge round this central point, but so long as the central point is clouded, as it were, in mystery and no definite statement can be made about it to the Council, it is useless for me to dilate on the subject. I have made these observations not with the view of obstructing the passing of the Bill but with the view of inviting the attention of Government to certain aspects of the Bill, which to me appear as operating very strongly against the interests of the proprietors and the tenants, whose interests, as your Lordship has just now stated, your Lordship would specially guard quite as much as the interests of the tenants in ryotwari villages. These are the remarks that I have to make on the financial aspects of the Bill.

The Hon'ble the Maharaja of Vizianagram rose to address the Meeting.

His Excellency the President.—The Hon'ble Member is out of order, as he has already spoken in regard to this measure. The question is that this Bill be passed into law.

The Hon'ble S. Srinivasa Raghavaiyangar.—I just wish to make a few very brief remarks on the question referred to in the observations of my Hon'ble friend Mr. N. Subba Rao. I cannot say I have followed him throughout all the calculations that he has given, as I have not had all the materials he has made use of before me; but there is one point which seems to me to require an answer, and that is whether the Government, according to the calculations given by the Hon'ble Member in charge of the Bill in the speech which he made at the last meeting, is contributing its fair share to the Village Service Fund. It was with the view of finding out what the Government share should be, that I put the question to the Hon'ble Mr. N. Subba Rao. He seems to think that if, in a particular estate, the Government contributed a certain *proportion* of the cost of the village establishments at a particular time, that *proportion* should be continued for all time without any reference to changes in the data on which the proportion was originally fixed. It seems to me there is a fallacy underlying this argument. When the permanent settlement was entered into, the peshkash was fixed unalterably, so far as the Government was concerned, and the Government has a right to get that revenue only, and no more; while, owing to increase in prices of agricultural produce and extension of the area of cultivation, the profits of the ryots and the zemindars have increased; and, therefore, the correct principle of taxation to be applied to the case should be that each should contribute according to the present *income*. Now if this circumstance be borne in mind, the estimates of the Member in charge of the Bill, rough as they are, will show that Government is contributing more than its fair share. If the Government does not really contribute its fair share, I agree with the Hon'ble Member in thinking that it should be called upon to contribute its share in proportion to the income derived by it. Without wishing to commit the Government in any way, I must say that that seems to me to be a sound and reasonable principle. I think that this Bill should be passed, because it is my conviction, from the information that I have been able to get, that

the Government is already contributing more than its just share, remembering, as I have already said, that that share should be fixed not with reference to the income derived by the respective parties at the time of the permanent settlement, but according to their present income. As the Government does not derive any larger income than it did before, it ought not to contribute more towards the cost of village service, but the other parties who derive a larger income than before ought to pay more. There is another point to which I wish to call your attention, and that is that, according to the ancient custom of the country, a part of the cost of the village establishments was deducted from the gross produce, and then the net produce was divided between the zemindar and the ryot. The Hon'ble Mr. Garstin's calculations do not take into account that portion of the deduction from the *mélvaram* which represents the Government's contribution towards the village service. Now, when *meras* or grain fees which represent the deductions from the gross produce cease to be paid when the new law comes into force, these contributions will be added to the share of the ryots or to the share of the zemindars, as the case may be, and they will get the benefit of not only their own share of the contribution, but also the Government share; or, in other words, a part of the cess paid by the zemindar or the ryot will really be paid by Government; and that is a consideration to be borne in mind in connection with the incidence of taxation. I perfectly agree with the Hon'ble Member in thinking that the ryots should not be over-weighted with taxation. I know that the zemindari ryots already pay heavy rents, and their condition, so far as I have been able to find out from enquiries, is considerably worse than that of the Government ryots. I am perfectly at one with the Hon'ble Member in thinking that no unnecessary burden should be laid upon them. But I believe this circumstance is fully recognized and provided for by the Bill in this way: viz., that whereas in Government taluks the maximum rate imposed on the ryot is one anna for the village cess, it would be under this Bill five pies, that is, half of what the Government ryot has to pay. For these reasons I do not think there is any reason to apprehend that any great burden of taxation will be laid upon the ryot.

The Hon'ble V. Bhashyam Aiyangar.—The question of theoretical proportion suggested by the Hon'ble N. Subba Rao is one which he himself wishes to introduce. I think we have this stern fact, namely, that the Government peshkash is fixed in amount for ever and is immutable. Though at the time it was originally fixed it might have been fixed as a proportion of the zemindar's gross income from the estate, yet the Government did not reserve any right to increase the amount of peshkash in proportion to the increase in the zemindar's income owing to extension of cultivation and rise in the price of grains; but the Government derives at present only as many rupees, annas and pies as it derived when the permanent peshkash was fixed. Therefore it is not a question of one-sixth proportion or one-third proportion or one-half proportion; and the introduction of the element of proportion, I submit, is misleading and fallacious, because the peshkash due to Government is not a proportion of the income derived from the lands. Even if the income from the lands increases tenfold, the peshkash does not proportionately increase, but remains constant. When we talk of Government making a contribution, it, of course, means the general tax-payer, and I submit the public derive from these proprietary estates a fixed amount which, I believe, is estimated at about 50 lakhs in the whole Presidency; and the cess which the public should justly bear would be at the rate of 5 pies upon that amount, the other 5 pies being paid by the tenant, whose income is presumed to be equal

to the rental value of his holding. There is a remission made in favour of the landlord at the rate of 5 pies on so much of the rental value as is equal to the peshkash. But what the Hon'ble N. Subba Rao says is that the Government at present makes some contribution by assignment of land revenue in the shape of inams, that fees and meras are also paid by tenants and proprietors, and by an arithmetical process he finds a proportion between these contributions; and he desires that when the cess is introduced the Government contribution should bear the same proportion. I submit that the Government hitherto has not professed to bear any proportion of the cost of the village establishment in various villages and districts, and the reason is that assignments of land revenue in the shape of ináms for the maintenance of village establishments were made at various times by different authorities, not upon any principle that it should be a certain proportion of the entire cost of the village establishment in the different villages; but I do agree with the Hon'ble N. Subba Rao that the public should not grudge what it has hitherto been contributing by assignment of ináms towards these village establishments, even if such revenue represented by such inams should be in excess of the cess justly assessable upon the amount of peshkash. In several cases, no doubt, it may be found that the assignments of land revenue hitherto made by Government are in excess of the just quota which the public should contribute, which I submit is the proportion of the cess upon the fixed amount of the peshkash; and therefore to that extent, even if the assessment upon the service inams is in excess of the burden which the public should bear towards the maintenance of village establishments, it is just and equitable that that should be continued. It is on this ground, I presume, that the Bill provides that all quit-rents and assessments upon these inams when they are enfranchised should be credited to the Village Service Fund; and I think the statements furnished to the Hon'ble Member do not show that the amount thus contributed by the public in the shape of assignments of land revenue by assigning inams is less than 5 pies, or half of the cess which may be levied under this Act by Government calculated upon the amount of peshkash. But, as it is not improbable that in some districts the amount of quit-rent may be less than the cess payable upon the amount of peshkash, a provision was inserted for crediting to the Village Service Fund any extra contributions which may be made by Government, and, as already observed, it is not improbable that in particular districts it may be found necessary that the Government should make such contribution rather than withhold the Act from being brought into operation in such districts. As regards the recently passed Village Cess Act referred to by the Hon'ble Member, the Government derive the full assessment payable by the tenant, namely the ryot, and therefore the Government under that Act contributes as much as the tenant himself, that is the ryot. But in regard to proprietary estates the assessment, that is, the rent paid by the ryot in a zemindari, is shared between the proprietor and the Government; and therefore what is contributed by Government in ryotwari villages has to be contributed in proprietary estates partly by the proprietor himself and partly by Government, and the respective portions should be calculated on the portion of the rental which is retained by the proprietor himself and thus forms his income and the remaining portion which is paid to Government as peshkash; and it is on that ground, as I believe, that remission is granted to the landholder of the cess payable upon the amount of rental equivalent to the peshkash.

The Hon'ble A. Sabhapati Mudaliyar.—Your Lordship will allow me to say a few words in opposing the passing of this Bill. I have received a copy of the

petition sent by the Tanjore Mirasidars, asking me to vote for the adjournment of this Bill. But as that matter has been discussed and disposed of, and there is no further amendment likely to be allowed under Your Lordship's orders, I have thought it my duty to say that public criticism on this Bill has not been fully exhausted. Articles have appeared in the papers, and petitions have been sent by parties whom it concerns, complaining that sufficient time has not been allowed for a free and full discussion of this Bill. Although there are some technical and legal objections, they were waived at the last meeting, and so I need not touch on that subject. But in the *Hindu* of the 3rd, an opinion is published of an experienced gentleman, whereby it seems to me that Government have no legal authority to make any enactment in the matter of zemindars and minor inamdars. But for the purposes which Your Lordship has just now mentioned, a simple provision of binding the zemindars to furnish such statistical information as is needed, every month or week, or as often as the Government may find it necessary will be enough. It seems to me that the necessity under which this Bill has been brought forward is removed. I therefore feel it my duty to ask Government for a postponement of the discussion to give the public sufficient time to exhaust all the criticisms which may come hereafter; and if the Government then passes the Bill it may be considered a fair and just act in their part; otherwise it may be thought that the Government has been hastening through this measure simply to avoid further discussion. I therefore cannot give my vote in favour of the Bill without passing my remarks which I now do with Your Lordship's permission.

The Hon'ble Mr. J. H. Garstin.—My Lord, I do not think I should be treating the Hon'ble Members who have spoken with courtesy if I did not rise to reply and to offer a few brief remarks, although it is hardly necessary for me to do so because the subject has been so thoroughly threshed out that I think the time has really arrived when we should proceed with the important question of passing this Bill into law. The Hon'ble N. Subba Rao has at great pains criticised the financial aspect of the Bill. I am much obliged for his criticisms, but I am sorry to say that I cannot follow him through them because I am not sufficiently *au fait* with the figures and not sufficiently confident of their accuracy. The words I used in my speech were words couched in the broadest language, so as not to convey any assurance whatever that what I was saying was put forward with any feeling that the statistics were such as could be implicitly relied upon. I wished every one to understand that what I put forward was the merest guess work on my part based upon figures supplied to me a few hours before the debate began. It is quite possible he is right in saying that my estimate of the yield from the assessment of the inams is based upon the assumption that they would be enfranchised at their full assessment. Indeed, I find, on referring to the papers which he had been kind enough to hand to me, that such is the case. Whether the Government will assess them at full assessment or at five-eighths is a matter for their consideration. The Act gives them power under section 17 to enfranchise inams under the rules for the time being in force in respect of the enfranchisement of village service inams in villages not permanently settled or under such rules as the Government may lay down in this behalf. I can only express the hope that the Government will treat the villages in proprietary estates in this matter with all the liberality which the circumstances will admit of, but I cannot possibly pledge it to any specific course of action, because in the course of a few days my official career will terminate. The Hon'ble Mr. Subba Rao has expressed a hope that there will be no necessity to resort to additional taxation in working

this Act. I can only say I heartily repeat the same hope. It is possible, judging from some of the figures the Hon'ble Member has given us, that in some districts, at least, it may be found that the enfranchisement of inams will more than suffice to pay the village establishments at any rate on the scale I have fixed. I am the more justified in assuming that this result may follow from the remark made by the Hon'ble Mr. P. Rangayya Nayudu, who stated that the karnams sometimes get three to five times the salary proposed by me. If that is so, I would ask where they get it from? It is probable that they do not get it from Government inams; but, if they do, then the inams, in many cases, must be much more valuable than they are generally supposed to be. If, on the other hand, they get this large income from fees, then, when those fees are given up, the persons who will benefit most will be those very tenants on whose behalf my Hon'ble friend has just made such an eloquent appeal. The Hon'ble Member has alluded to the Vizianagram estate and quoted figures to show that the tenants pay only Rs. 938, as I understand, in cash by way of fees to the Village officers. Possibly, however, the figure represents the money value of the merahs paid by them. At any rate the total value of the landed inams of the village servants in that estate (the statistics apparently including all village servants and not being confined only to those to whom the Act will apply), amounted to about one lakh and thirty-three thousand rupees, of which, as the Hon'ble Member says, an infinitesimal portion only is paid by the ryots. The rest would, therefore, appear to be an extraordinarily liberal contribution from the Government.

The Hon'ble N. Subba Rao.—I would suggest that the figures may include both inams granted by Government, as well as those granted by zemindars.

The Hon'ble Mr. Garstin.—I am not in a position to say which it is. It is obvious that in the case in question full enquiries are very necessary to determine in what manner the cost should be adjusted between the Government, the proprietor and the tenants. The Hon'ble Member expresses the hope that the Government will afford special relief to zemindars. I cannot see why they should give such special relief, because it is to be remembered that since the permanent settlement, when the peshkash of the zemindaris was ordinarily fixed at two-thirds of the rent-value, the zemindars have very largely increased their rents, so much so that instead of their rentals now representing one-third of the whole rent-value against a peshkash of two-thirds, the proportions are reversed, and the peshkash is now only one-third as against a rental of two-thirds, so that the zemindars get from the ryots double the rent which they originally received. This being so, they are twice as well able to pay as before, and there would be no injustice in asking them to contribute twice as much as they were expected to contribute when the arrangement with them was originally entered into. The Bill, as I have repeatedly pointed out, my Lord, is a very elastic measure, and it is so arranged that it is not at all necessary for the Government to commence their labours in introducing it by imposing the cess at all. I have more than once pointed out that it will be necessary to carry out elaborate and careful enquiries in every district, and I look to those enquiries, when carried out, to put Government in possession of all the information which the Hon'ble Mr. Rangayya Nayudu wanted to see in what he called a cut and dried state, before the Bill is passed into law. When that information is furnished, the Government will, I trust, be enabled to deal with the matter in a liberal manner, which, I feel sure, it will then endeavour to do in regard to all matters connected not only with the proprietors but with all others concerned. My Lord, I will not

detain the Council any longer. I trust that this Bill, as your Lordship has stated, will be of the greatest assistance to Government in dealing not only with zemindars but with the Village officers in their estates and their relations towards the ryots, and that, in this respect, it will eventually prove one of the most beneficial Acts that have been passed for many years. I can only express the earnest hope on my part that it may prove so.

The proposition was then put to the Council and carried.

The result of the voting was as follows:—

	Votes.
For	17
Against	2
Majority for	15

MALABAR EVICTIONS AND WASTE LANDS BILL.

His Excellency the PRESIDENT.—Under rule 68, I have ruled that the Malabar Evictions and Waste Lands Bill, No. 1 of 1887, be removed from the list of business.

The SECRETARY.—There is no further business before the Council, my Lord.

FUTURE BUSINESS.

His Excellency the PRESIDENT.—Before the Meeting dissolves, it will be convenient if I announce to the Hon'ble Members what the intentions of Government are with regard to the next meeting. The measures that are more immediately before the Council or will be shortly are a Bill to amend the District Municipalities Act, a Bill to repeal Regulation VI of 1831 and the Tenancy Bill. Of these one only is in a stage to be dealt with, that is, the Bill to amend the District Municipalities Act, and, as it is extremely technical in its character, we shall have to assemble merely to refer it to a Select Committee. I think, therefore, the best plan would be, at the next meeting, when that Bill will be referred to a Select Committee, that we should take up the amendment of the new rules under which the business of the Council is carried on. The Government will be prepared to propose some amendments, and, in the meantime, will be glad to receive any suggestions from Hon'ble Members in time to admit of their being considered by the Council at the next meeting which will probably be held some time in the middle of February but not before the 15th.

The Meeting then dissolved.

(By Order.)

FORT ST. GEORGE,
19th January 1894.

A. BUTTERWORTH,
Secretary to the Council.

MADRAS: PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRESS.

Proceedings of a Meeting of the Council of the Governor of Fort St. George, assembled for the purpose of making Laws and Regulations under the provisions of the Acts of Parliament, 24 and 25 Victoria, Cap. 67, and 55 and 56 Victoria, Cap. 14.

The Council met at the Council Chamber in Fort St. George at 11 A.M. on Wednesday, the 7th March 1894.

PRESENT:

His Excellency the Right Hon'ble the GOVERNOR OF MADRAS, G.C.I.E.—*Presiding.*
The Hon'ble Mr. H. W. BLISS, C.I.E.
The Hon'ble Mr. J. GROSE, M.A.
The Hon'ble the ADVOCATE-GENERAL.
The Hon'ble Mr. J. F. PRICE, C.S.I.
The Hon'ble Mr. C. A. GALTON, M.A.
The Hon'ble Mr. C. S. CROLE.
The Hon'ble Colonel J. PENNYCUICK, R.E.
The Hon'ble Mr. W. P. AUSTIN.
The Hon'ble Mr. A. MONRO, M.A., B.C.L., Barrister-at-Law.
The Hon'ble Mr. A. T. ARUNDEL.
The Hon'ble Mr. E. GIBSON.
The Hon'ble the MAHARAJA OF VIZIANAGRAM, G.C.I.E.
The Hon'ble V. BHASHYAM AIYANGAR, B.A., B.L., Rai Bahadur.
The Hon'ble Mr. J. A. BOYSON.
The Hon'ble P. RANGAYYA NAYUDU.
The Hon'ble A. SABHAPATI MUDALIYAR, Rao Bahadur.
The Hon'ble K. KALYANASUNDARAM AIYAR, B.A., B.L.
The Hon'ble N. SUBBA RAO PANTULU, B.A., B.L.
The Hon'ble the Rev. W. MILLER, M.A., LL.D., C.I.E.
The Hon'ble C. SANKARAN NAYAR, B.A., B.L.
The Hon'ble GHULAM MUHAMMAD HASAN ALI KHAN BAHADUR.

NEW MEMBERS.

The SECRETARY.—I have the honour to announce to your Excellency that the Hon'ble Mr. A. T. Arundel and the Hon'ble Mr. E. Gibson have taken their seats as Additional Members of the Council.

QUESTIONS.

The Hon'ble V. BHASHYAM AIYANGAR—*I. Uncovenanted Medical Service.*—(*a*) What are the appointments specified in the resolution of the Government of India in the Home Department (Medical), No. 17—481–94, dated 31st October 1884, which may be filled by Uncovenanted Medical officers who are licentiates or graduates in Medicine and Surgery, under the rules prescribed by the Government of Madras in the Notification No. 228, dated 12th May 1885, and published in the *Fort St. George Gazette* of the 26th May 1885?

The Hon'ble Mr. Bliss.—The resolution quoted specifies appointments in the Bengal Presidency only. The appointments in this Presidency, which may, in the absence of Commissioned Medical officers, be held by Uncovenanted Medical officers, are the Civil Surgeoncies of Chingleput, Cochin, Tellicherry, Negapatam, Chatrapur and Guntúr.

The Hon'ble V. Bhashyam Aiyangar.—(*b*) Have any permanent appointments of Uncovenanted Medical officers been made under the said rules, and if so, what is the number of such appointments?

The Hon'ble Mr. Bliss.—Yes: two—one at Negapatam and one at Chatrapur. An acting appointment has also been made at Guntúr.

The Hon'ble V. Bhashyam Aiyangar.—(*c*) How many licentiates or graduates in Medicine and Surgery of Indian Universities are employed in the Civil Medical Department of this Presidency, and what are the classes of posts held by them?

The Hon'ble Mr. Bliss.—Four graduates and 34 licentiates in Medicine and Surgery of the Madras University are at present employed in the Civil Department. Of these, 20 are Assistant Surgeons and 18 are Civil Apothecaries.

The Hon'ble V. Bhashyam Aiyangar.—(*d*) Has there been any despatch from the Secretary of State or any resolution from the Government of India since the date of the said notification in regard to the prospects of Uncovenanted Medical officers, and, if so, will the Government be pleased to lay the same before the Council?

The Hon'ble Mr. Bliss.—No further despatch on the subject has been received from the Secretary of State, nor has any general resolution of the Government of India been issued. The only general orders received from the Government of India regarding the class of Assistant Surgeons and Hospital Assistants have been in respect to the reserves to be maintained of officers of these classes and to their position and emoluments if temporarily employed on military duty. Copies of these orders will be furnished to the Hon'ble Member if he wishes to have them.

The Hon'ble V. Bhashyam Aiyangar.—(*e*) Is there any, and if so what, objection to the appointment of Uncovenanted Medical officers to one of the three posts of Physicians and to one of the three posts of Surgeons attached to the General Hospital at Madras, and, if there is none, will the Government be pleased to consider the desirability of making such appointments?

The Hon'ble Mr. Bliss.—The appointments attached to the General Hospital are reserved for commissioned officers under the orders of the Government of India. Uncovenanted Medical officers are not considered to have received a professional education sufficiently good or to be of sufficient professional standing to qualify them for any of the appointments in question with their attached professorial duties.

The Hon'ble K. Kalyanasundaram Aiyar.—Has the local Government promised any support to the Pasteur Institute which seems to be about to be established in the north of India? Is the Government aware that a printed letter condemning M. Pasteur's treatment for preventing deaths from the bites of dogs and other animals alleged to be rabid has been circulated by a Society called "The Victoria Street Society for the Protection of Animals from Vivisection?" Can the Government give any information showing the value of the treatment in question?

The Hon'ble Mr. Bliss.—(1) The local Government has informed the Government of India that it will be prepared to contribute towards the cost and upkeep of a Pasteur Institute in the Panjáb if other local Governments do so.

(2) Yes; a copy of it was received two months after the despatch to the Government of India of the communication referred to above.

(3) This is a purely scientific question on which the Government is not in possession of any information beyond that which is available to the general public.

The Hon'ble C. SANKARAN NAYAR.—I. Whether any report has been submitted to the Revenue Board or the Government by Mr. Castlestuart Stuart or Mr. Moberly for the settlement of the Palghat taluk, and, if so, whether the Government will be pleased to place the same at the disposal of the Press, with the Proceedings, if any, of the Board of Revenue or Government thereon?

The Hon'ble Mr. GROSE.—A scheme for the settlement of the Pálghát taluk was submitted by Mr. Castlestuart Stuart and was received by the Board and Government, but the order could not be made public at once, because reference had to be made to the Government of India on certain points connected with the scheme. The reply of the Government of India has only recently been received and orders have been issued to place on the Editors' table G.Os., dated 23rd October 1893, No. 931, containing the review of Mr. Stuart's scheme, and 22nd January 1894, No. 51, containing the reply of the Government of India to the reference made; also the letter from this Government to the Government of India, dated 29th November 1893, No. 1036.

A copy of these papers will also be sent to the Kerala Mahajána Sabha.

The Hon'ble C. SANKARAN NAYAR.—II. Whether the Government will be pleased to inform the Council what the increase of assessment will be in the Palghat taluk, after the survey and settlement,

on dry lands,	on wet,
on garden,	

and whether the total increase will be below 100 per cent. (*a*) in accordance with the scheme submitted by Mr. Stuart, (*b*) in accordance with the scheme submitted by Mr. Moberly?

The Hon'ble Mr. GROSE.—The answer to the second question is, that Mr. Stuart's scheme for the settlement of Palghat taluk was rejected by Government and that no scheme has as yet been submitted by Mr. Moberly. A revised scheme has been called for, and until the Government has been furnished with a scheme which it can accept and passes final orders thereon, it is impossible to say what the increase of assessment will be.

The Hon'ble C. SANKARAN NAYAR.—III. Whether the Government will be pleased to place at the disposal of the Press the report of the Committee appointed in or about 1889 to report on the revision of the assessments in Malabar and the Proceedings of Government thereon?

The Hon'ble Mr. GROSE.—The papers referred to will be re-printed and placed at the disposal of the Press.

The Hon'ble C. SANKARAN NAYAR.—IV. Whether an opportunity will be afforded to those interested to state their objections, if any, to any scheme for revision of assessment in Malabar or any part of Malabar that may be suggested by the local authorities or the Board of Revenue before any final proceedings are passed thereon by Government?

The Hon'ble Mr. GROSE.—The answer to this question is in the affirmative, and the Kerala Mahájana Sabha was informed in 1891, that such opportunity would be afforded. His Excellency the Governor moreover in his reply to the address presented to him by the same association on the occasion of his visit to Malabar in October last said "We shall make a point in all our proceedings as we go on, of fully taking you into our confidence and giving you an opportunity of expressing your views, so that we may be in a position to know, not only what you think, but also what are all the facts of the case."

The Hon'ble N. Subba Rao Pantulu.—I. Will the Government be pleased to lay on the table a copy of the "regular rules for the distribution of water" referred to in the answer given by Government at the meeting of the Council held on the 14th November 1893, and to state whether the said rules were ever published in the District or *Fort St. George Gazette?*

The Hon'ble Colonel Pennycuick.—The rules and practice are so complicated and vary so much in different districts that it is impossible to bring even an abstract of them within the limits of an answer to a question. They are being compiled, and when the compilation is completed, will be printed and laid on the table. The printed list will state in each case to what extent, if at all, the rules have been published in the *Fort St. George Gazette* or District Gazettes.

The Hon'ble N. Subba Rao Pantulu.—II. In view of the important bearing of chemistry on agriculture and other industries, will the Government be pleased to take the necessary steps to utilise the improved and newly extended Chemical Laboratory of the Presidency College as well as the Laboratory of the College of Agriculture, for the conduct of agricultural analysis and other original scientific work and for the training of Indian experts in agriculture?

The Hon'ble Mr. Monro.—As yet no persons have applied for the use of the laboratories of the Presidency or Agricultural Colleges for the conduct of independent agricultural analysis or other original scientific work or with a view to their becoming experts in agriculture; but every facility would be afforded to any person who wished to make use of the laboratories of these institutions for the above purposes.

The Hon'ble N. Subba Rao Pantulu.—III. Will the Government be pleased to state what steps have been taken to give effect to its resolution of 1890 that agricultural farms should be opened at different centres in the Presidency and whether the Government will be pleased to open a farm in the Northern Circars?

The Hon'ble Mr. Grose.—No steps have as yet been taken to give effect to the Resolution of 1890 referred to by the Hon'ble Member, because, under instructions from the Government of India, the scheme was held in abeyance, pending the consideration of Dr. Voelcker's report. This report was discussed by a Conference held at Simla in October last, but the orders of the Government of India on the recommendations of the Conference have not yet been communicated to this Government. Gódávari was one of the districts approved by Government for the location of an agricultural school and farm; but until the details of the scheme are finally settled, it is not possible to give a definite reply to the latter part of the question.

The Hon'ble N. Subba Rao Pantulu.—IV. (*a*) Is there any special reason why "the position of Chemical Examiner" to Government has been assigned to an officer of the Indian Medical Service?

The Hon'ble Mr. Bliss.—Yes; it is one of the appointments which the Government of India has ruled are to be "reserved absolutely for members of the Covenanted Medical Service."

The Hon'ble N. Subba Rao Pantulu.—(*b*) Does the Government agree with Dr. Voelcker in thinking that for the post of Chemical Examiner "men who have been carefully trained in Chemistry and more especially in Analytical Chemistry" are more especially needed than medical men "who have had nothing more than the class instruction in Chemistry and the test-tube experience of the ordinary medical student"?

The Hon'ble Mr. Bliss.—The Government quite agrees with Dr. Voelcker, but observes that his remarks do not apply to this Presidency, where, for many years past, care has been taken to appoint to the office of Chemical Examiner only officers of suitable professional qualifications.

The Hon'ble K. KALYANASUNDARAM AIYAR.—I. Whether, in view of the fact that the papers relating to the Tiruválúr fire accident which the Government has been pleased to send do not throw light on the question as to how the fireworks came to be let off long before the time fixed for the procession of the idol and when the feeding of Brahmins was still going on in the sheds of leaves erected inside the temple, the Government will be pleased to call for and place on the Council table a specific report on the statements in Sivalinga Pillai's petition to Government, dated 10th July 1893, in the following terms:—

"It was customary to celebrate the procession festival on this night by bringing the idol outside the temple to all the four streets surrounding it and *after this occasion* to play fireworks; and

"Mr. Todhunter wished the fireworks should be played immediately as the ladies were anxious to get away soon to Negapatam and could not wait for the procession"?

The Hon'ble Mr. BLISS.—The Government will call for a specific report upon the statements quoted.

The Hon'ble K. KALYANASUNDARAM AIYAR.—II. (*a*) What was the cost incurred in the construction and the furnishing of the Government House and Public offices on the Hills?

(*b*) Whether a house was recently purchased from public funds for the Commander-in-Chief, and, if so, at what cost?

(*c*) What is the amount spent annually on repairs and establishments connected with the maintenance of the above buildings?

The Hon'ble Colonel PENNYCUICK.—(*a*) The actual expenditure up to the end of 1893 on the construction and furnishing of Government House at Ootacamund and the buildings connected therewith was Rs. 7,60,481 and on the Government offices at Stonehouse Rs. 82,316. The original cost of the Mountstuart property now used as offices for Army Head-quarters was Rs. 85,000, and Rs. 21,375 has been expended in improvements and additions. The Government of India pays rent at the rate of Rs. 306 per mensem for these buildings.

(*b*) No house has been purchased from public funds for His Excellency the Commander-in-Chief.

(*c*) The average annual expenditure on repairs during the last five years has been Rs. 7,112 per annum; no special establishment is provided for the supervision of these works which are managed by the ordinary Public Works staff of the district. The average cost of this establishment, including a proportionate share of the cost of direction and accounts, is about 23 per cent. of the expenditure on works.

The Hon'ble K. KALYANASUNDARAM AIYAR.—II. (*d*) Does the sum of Rs. 36,000, which the Government has stated to be the annual cost of its trip to the Hills, include all cost incurred, not only on account of the members of Government, but also in the transit of all establishment, the extra allowances granted to the officials going to the Hills and the amount spent under (*c*) above?

The Hon'ble Mr. BLISS.—The amounts previously given as the annual cost of the move of Government to the Hills include all charges incurred on account of the members of Council and also on the transit of all establishments and the extra allowances granted to officials. They do not include the amount spent under head (*c*).

The Hon'ble K. KALYANASUNDARAM AIYAR.—III. (*a*). Has the Government before it any scheme for supplying the town of Coimbatore with good water?

(*b*) If not, will the Government be pleased to issue orders for the carrying out of one?

The Hon'ble Mr. BLISS.—The answer to the Hon'ble Member's first question is "Yes." The second therefore needs no answer.

The Hon'ble K. KALYANASUNDARAM AIYAR.—IV. (*a*) Whether the Government is aware that many Mirasidars of Tanjore complain that the time given to them by the Settlement-officers for objecting to the new rates of settlement is too short, that their petitions objecting to the said rates are not received at the time of enquiry, and that they are directed to send such petitions by post?

(*b*) Will the Government be pleased to enquire whether these complaints are well-founded, and, if they are, to apply such remedies as it deems fit in the circumstances?

(*c*) Is it true that the Settlement-officers do not attend to objections based on defective irrigation and that they raise the commutation price to one rupee eight annas and more to justify the rates fixed by them. If so, will the Government be pleased to direct that its final orders on the Tanjore Settlement scheme be strictly adhered to?

(*d*) Has the attention of Government been drawn to a long communication published in the *Southern Star*, of the 17th February 1894, over the signature of G. Narasimhachariar, Mirasidar, pointing out many irregularities and illegalities on the part of Mr. Kristnamurti Aiyangar, Deputy Commissioner of Revenue Settlement, in the matter of hearing objections of individual Mirasidars against the new rates of settlement? If so, will the Government be pleased to call for an immediate report on the subject and to remedy the grievances complained of?

The Hon'ble Mr. GROSE.—The answer to the first two questions is that the Government is aware that complaints have been made of the manner in which petitions presented to the Settlement-officers in Tanjore have been disposed of and has already called for a report on the subject. On receipt of the report, steps will be taken to remedy any grievances which may be shown to be well-founded.

(*c*) The Government has no information regarding the irregularities alleged to exist; but enquiry will be made and steps taken to see that the orders of Government in the settlement scheme are duly carried out.

(*d*) The communication referred to was recently brought to the notice of Government and report regarding the allegations made therein has already been called for.

The Hon'ble K. KALYANASUNDARAM AIYAR.—V. Is it a fact that Mr. Gabriel Stokes, District Magistrate of Salem, some time ago (1) took a statement from one Sambayan, a prisoner in the Salem Jail under sentence of death for the murder of a boy, regarding the circumstances of that boy's death, and (2) proposed to use the said statement after Sambayan had been hanged as a dying declaration of the said Sambayan against those whom Sambayan had implicated therein?

The Hon'ble Mr. BLISS.—It is the case that on the 18th March 1890 Mr. Stokes, the District Magistrate of Salem, took a statement from one Sambayan, a prisoner under sentence of death in the Central Jail at Salem, regarding the circumstances attending the murder of a certain boy. The Government called for a report on the subject and came to the conclusion that the District Magistrate's action was in no respect open to censure. Mr. W. A. Symonds was at the time Superintendent of the Salem Central Jail and was called on for an explanation of his conduct in regard to the same case. In the course of his explanation, Mr. Symonds stated that the District Magistrate had expressed an opinion that Sambayan's statement might, after his execution, be used as a dying declaration against persons whom he had implicated. The

Government of the day did not apparently attach any importance to Mr. Symond's statement, for nothing was done thereon.

The Hon'ble K. KALYANASUNDARAM AIYAR.—VI. Is it a fact that in or about October last Mr. Robert Sewell, District Magistrate of Bellary, proposed to issue a search warrant for the examination of the person of a Eurasian lady, whose husband, an Englishman, was criminally prosecuting another Englishman for alleged adultery with her, on the plea that the power of search for stolen goods extended by analogy to the examination of a female witness' person? If so, will the Government be pleased to state what notice it has taken of the matter?

The Hon'ble Mr. BLISS.—The Government has no information on the subject and does not propose to call for any.

The Hon'ble K. KALYANASUNDARAM AIYAR.—VII. Is it true that, in consequence of the death of a convict from gangrene of the buttocks caused by flogging administered to him in the Salem Jail for breach of jail discipline, special precautions are now taken whenever prisoners are flogged for such breaches? If so, will the Government take steps to secure by legislation the provision of similar precautions in the case of convicts flogged in execution of sentences passed by Courts of law?

The Hon'ble Mr. BLISS.—It is not quite certain that in the case referred to the whipping was the *immediate* cause of death. The facts are that one Gópálagádu was flogged in the Central Jail, Salem, for a certain jail offence on the 16th May 1892; that he was sent to the jail hospital after the flogging; that he was transferred thence on the 26th May to the Penitentiary under a medical certificate that he was fit to travel; and that the journey set up inflammation, which resulted in the gangrene from which he died on the 31st May. In consequence of this occurrence the Government directed that no prisoner should be transferred from a jail hospital to any other jail except for the benefit of his health, and this ruling has been incorporated in the Jail Code. A Medical officer is invariably present when a flogging is administered in a jail, whether it is inflicted under the sentence of a Court or for a jail offence, and if the state of the prisoner seems to the Medical officer to demand such a precaution, he is placed in the jail hospital and, as remarked above, he cannot be transferred thence to any other jail until he has been discharged cured. If the Medical officer who attends at the flogging of a prisoner considers that it is unnecessary to remove him to hospital thereafter, he is not placed in hospital. In all cases the provisions of the Jail Code Rule 532 apply, whereby no prisoner is ever transferred unless the Medical officer of the jail certifies that he is in a fit state of health to travel. If a sentence of whipping imposed by a Court is carried out otherwise than in a jail, section 394 of the Code of Criminal Procedure applies, and the officer present is bound to satisfy himself that the offender is in a fit state of health to undergo the punishment. Under these circumstances the Government considers that further legislation is altogether uncalled for.

The Hon'ble K. KALYANASUNDARAM AIYAR.—VIII. (*a*) What cost has been incurred in this Presidency in the construction of "close prisons"?

(*b*) Were not these close prisons intended for the segregation by day and by night of habitual and hardened offenders for certain well-defined periods of their incarceration?

(*c*) Is it not a fact that, in lieu of these close prisons being put to the use aforesaid, the criminals for whom they were intended have been permitted, in the supposed interests of jail manufacture, to work in association with other convicts? Is the practice still in vogue? If so, where?

The Hon'ble Mr. Bliss.—(*a*) The cost incurred on the construction of "close prisons" in this Presidency since the year 1875-76 is Rs. 1,57,782.

(*b*) The objects of "close prisons" are explained in the Jail Code Rules 305 and 306, to which the Hon'ble Member is referred.

(*c*) The Government will enquire of the Inspector-General of Jails whether criminals who should have been placed in "close prisons" have been permitted to work in association with other convicts.

The Hon'ble K. Kalyanasundaram Aiyar.—IX. (*a*) Is it a fact that, contrary to the provisions of the Criminal Procedure Code, which accord to all prisoners the right of memorializing the Government for the exercise of its prerogative of mercy, the Jail Department of this Presidency illegally limited that right, except in rare instances, to prisoners under sentence of death? For how long was this restriction permitted to prevail? Has it been entirely removed? And, if so, since when?

(*b*) Is it a fact that, in spite of the Jail Code, which expressly enjoins that, in the case of a prisoner under sentence of death, the petition invoking the prerogative of mercy should be submitted in original and be accompanied by an English translation, a contrary practice has prevailed in some jails and a translation alone, signed by the prisoner (in almost every case ignorant of English) and countersigned by the Superintendent, has been forwarded to Government as though it were the original petition? If so, for how long has this practice been permitted to continue?

(*c*) Is it true that Colonel Porteous, then Inspector-General of Jails, took no notice of the above mentioned irregularities when his attention was drawn to them?

The Hon'ble Mr. Bliss.—(*a*) In the Jail Code of 1883 as in that of 1893, Superintendents are required to forward all first petitions to Government. In his report dated 20th May 1891, however, Mr. Cardew brought to notice that the rule had been neglected to a great extent and that the right to petition Government was practically non-existent except in the case of prisoners under sentence of death and possibly of transportation for life. This fact he attributed to a great extent to a rule which required the submission along with each petition to Government of the judgment of the Court containing the facts of the case. The judgment of the Court of Original Jurisdiction alone in most cases contains a full statement of the facts. Section 371 of the Criminal Procedure Code requires the Court to furnish one and only one copy of the judgment to the accused free of cost, and as this copy would be retained by the Appellate Court, the prisoner, if too poor to pay for another copy of the judgment of the Court of original jurisdiction, would be unable to comply with the rule requiring the submission of a copy of the judgment containing the facts of the case along with his petition to Government. Upon receipt of Mr. Cardew's report the Government consulted the High Court, and in G.O., dated 6th February 1892, No. 240, Judicial, all Sessions Judges and Magistrates were ordered to furnish, on requisition, to any person convicted of an offence and, except in summons cases, free of cost, a second copy of the judgment in the case. There is no reason to suppose that any impediments now exist to the free exercise of the right of petitioning Government. On the contrary such petitions are very numerous. I may mention that I recently received thirty of these petitions in the course of two days.

(*b*) The rules in the Jail Code of 1883 were not sufficiently clear on the subject of submitting vernacular petitions for mercy, and the practice referred to in the questions did prevail in some jails. The provisions of the Jail Code of 1893 are distinct. The vernacular petition written, adopted or dictated by the prisoner, must

itself be forwarded to Government. Occasionally, however, the rule is still infringed and an English translation of the prisoner's statement is alone forwarded. Fresh orders will be issued on the subject to all Superintendents of Jails.

(c) The Government has no information on this point.

The Hon'ble K. KALYANASUNDARAM AIYAR.—X. Will the Government be pleased to state whether it approved of the appointment of Mr. Subrahmania Pillay by the Raja of Cochin to the office of Diwan of that State in supersession to that officer's senior, Mr. Sankariah? If so, what were the reasons for such supersession?

His Excellency the PRESIDENT.—The Government was informed through the Resident in Travancore and Cochin of the proposal of His Highness the Raja of Cochin to appoint M.R.Ry. Subrahmania Pillay Avargal to the post of Diwan and replied that it had no objection to offer. The selection of a Diwan lies entirely with the Raja and the name of M.R.Ry. Sankariah Avargal was not even mentioned in connection with the appointment.

The Hon'ble K. KALYANASUNDARAM AIYAR.—XI. Will the Government be pleased to state whether any orders have been passed fixing the time for the assumption of the administration of the feudatory State of Pudukkóttai by His Highness the Raja, who has been a major for some time?

His Excellency the PRESIDENT.—The question of whether His Highness the Raja of Pudukkóttai has attained the age usually held to be that of majority has no bearing on the assumption by him of the administration of his State. It is for the Government of India, as the paramount power, to determine at what age any feudatory Chief shall be permitted to undertake the duties of Government. It has, with the approval of the Government of India, been decided that the existing system of managing the Pudukkóttai State shall continue in force until November 1894 when the Raja will have attained 19 years of age.

The Hon'ble P. RANGAYYA NAYUDU.—*Criminal Administration.*—(1) Is the Government aware that in register case 6 of 1893, the Joint Magistrate of Kumbakónam stated, in answer to an application for bail, that he was in an awkward position, as, in addition to being the committing Magistrate, he had the instructions of the Government to prosecute as well?

(2) Will the Government lay on the Council table a copy of the instructions conveyed to the said Magistrate?

The Hon'ble Mr. BLISS.—The Government has no information of the statement said to have been made by the Joint Magistrate of Kumbakónam and is not aware what instructions are alluded to. So far as can be ascertained by an examination of the records no report of the case was made to Government until after it had been committed, when the District Magistrate asked that the Government Pleader might be sent to conduct the prosecution before the Sessions Court. I may add that a telegram has just been received from the District Magistrate stating that the insinuation conveyed in the Hon'ble Member's question appears to be altogether without foundation.

The Hon'ble P. RANGAYYA NAYUDU—*Loans under the Special Well Rules.*—(1) What is the total amount that has been spent till now on grant of loans under the special well rules of Land Improvement Loans Act districtwar for the last three years 1891–92, 1892–93 and 1893–94?

(2) How many wells have been brought into existence by these loans, and what money advanced by Government has been spent on these wells?

(3) What steps has the Government taken to recover such portions of the loans as were not spent on the sinking of the wells?

(4) Whether the attention of Government has been drawn to the report of Mr. Castlestuart Stuart, who pointed out that in some cases these loans have been granted irrespective of the consideration whether a well could be had in the place and for the amount specified by the ryot applying for the loan, and what notice has Government taken of that report?

(5) Whether the whole well sinking operations could not be simplified by the bringing into use of American boring machines which would sink a well in a few hours and not also cost much at the outside.

The Hon'ble Mr. C. A. GALTON.—(1) A statement showing the advances made under the special well rules district by district from 1st April 1891 to January 1894 will be laid on the table for the information of the Hon'ble Member. It shows the advances made during the official year 1891–92, the three months April to June 1892, the fasli year 1302, and the first seven months of the current fasli 1303. Figures for official years 1892–93, 1893–94 are not available as, under instructions from the Government of India, accounts have to be maintained for the fasli year. It will be seen from this statement that during the period in question more than Rs. 23½ lakhs were advanced for sinking and repairing wells under the special well rules above. Besides this large sums (aggregating over 12 lakhs of rupees) have been advanced under the ordinary rules for the same purpose.

(2) Statement No. 2 shows the number of wells constructed or repaired from advances granted both under the special well rules and under the ordinary rules from 1st April 1891 to the end of June 1893. Information regarding the number of wells constructed or repaired out of advances granted under the special well rules alone is not separately available. It will be observed that during the period referred to 7,052 wells were newly constructed and 7,367 existing wells were repaired. The monthly returns received subsequent to June 1893 are not quite complete; but, so far as they go, they show that 5,940 more wells have been constructed or repaired and that 9,969 more were in course of construction or repair.

As regards the question what money advanced by Government has been spent on these wells, it will be observed from the rules prescribed in Board's Standing Order No. 112 that due precautions are taken to ensure that the loans granted are properly expended on the objects for which they are intended. Sufficient security is taken and the loans are generally given in instalments. Under rule 16 of the special well rules, the second instalment is not paid until the work done for the first instalment has been inspected and valued, and, under rule 17, the whole work on completion is measured up and estimated in accordance with a schedule of rates prescribed for each taluk or tract. If the value of the work done is within 10 per cent. of the amount originally applied for, the work is passed and final loan order issued to the parties. If the value is less than the amount of advance by more than 10 per cent., the applicant is allowed to refund any excess drawn by him and take an order for a reduced loan, or, if it is in excess by more than 10 per cent., he may take an additional loan to the amount of such excess. If default is made in the construction or repair

of the well, or if the money is misappropriated, the advance is summarily recovered in pursuance of the security given.

(3) As stated in the reply to the previous question, the rules provide sufficient safeguards for the prompt and summary recovery of such portions of the loans as are not spent on the objects for which they were granted.

(4) It is not clear whether the Hon'ble Member refers to the report written by Mr. Castlestuart Stuart when he was Sub-Collector in South Arcot. If this is the report referred to, it is observed that Mr. Castlestuart Stuart's remarks were of a general nature and had reference chiefly to the danger of an unlimited increase in the number of wells without due consideration being given to the geological conditions of each district and the sufficiency of the subterranean water-supply. Mr. Stuart feared that as the supply of under-ground water in any given locality is generally limited in quantity and is ultimately dependent on the rainfall, the subterranean springs could only supply a limited number of wells, so that all wells sunk in excess of that number will draw their supply at the expense of the wells already existing. The Collector and the Board did not share Mr. Stuart's apprehensions as the number of wells to be sunk will, in so far as they are constructed by means of State loans, be limited by the funds available for allotment and ryots do not generally ask for loans unless they are pretty sure that water is to be found. This has been amply proved by the experience of the past two seasons, 1891 and 1892, when the continued failure of the monsoon in several districts did not appreciably affect the subterranean supply.

(5) The Government is unable to answer this question without specific information as to the character and cost of the machines referred to and their suitability in localities where tube wells have been found to be unsuccessful. It is presumed that the Hon'ble Member does not refer to the boring apparatus used for sinking trial pits previously tried in the Presidency and found to be a failure — *vide* Mr. Nicholson's report printed in G.O., dated 13th July 1886, No. 578, a copy of which will be laid on the table for the information of the Hon'ble Member.

The Hon'ble P. Rangayya Nayudu—*Exchange Compensation Allowance.*—Whether the Government will furnish a statement showing the number of its Anglo-Indian and Eurasian employés in this Presidency who have received exchange compensation allowance without remitting any monies to their families at home and showing also the amount of such allowance drawn by each?

The Hon'ble Mr. Bliss.—As the Government of India has ruled that exchange compensation is payable whether any remittance is made to Europe or not, this Government is precluded from enquiring into the private affairs of the officers referred to.

The Hon'ble P. Rangayya Nayudu—*Taluk Administration.*—Whether, in view to the fact that the Tahsildars and their establishments are worked extremely hard even during hours which are not the usual office time and during holidays, the Government proposes to provide necessary funds in the budget for 1894–95 for the appointment of additional clerks sanctioned by Government in the "Garstin scheme."

The Hon'ble Mr. C. A. Galton.—No provision has been made in the budget of 1894–95 for strengthening taluk establishments owing to want of funds. The attention of the Hon'ble Member is drawn to the reply of the Hon'ble Mr. Garstin to the question put on the same subject by the Hon'ble Ramasubbaiyar at the meeting of the Council held on the 14th November 1893.

ACT ASSENTED TO BY THE GOVERNOR-GENERAL.

His Excellency the PRESIDENT.—I have to announce the assent of His Excellency the Governor-General to Act No. I. of 1894, an Act to provide further for the conduct of business by the Board of Revenue.

ACT FORWARDED FOR THE GOVERNOR-GENERAL'S ASSENT.

The SECRETARY.—I have the honour to announce to the Council that the Act to amend the law relating to village officers in permanently settled and certain other estates, which was passed by the Council on the 5th January last, received the assent of His Excellency the Governor on the 8th February and has been forwarded for the assent of His Excellency the Governor-General.

RULES FOR THE CONDUCT OF BUSINESS OF THE MADRAS LEGISLATIVE COUNCIL.

His Excellency the PRESIDENT.—The next business is the consideration of rules for the conduct of business of the Madras Legislative Council.

The Hon'ble Mr. BLISS.—My Lord, I do not propose to detain the Council long in bringing forward the amendments of which I have given notice to the Rules. The whole of the amendments which I propose are in the hands of the Hon'ble Members and they have also had circulated to them a reprint of the rules as they will stand if the amendments which I propose are accepted. Under these circumstances, I have no doubt they will understand the bearing of the different amendments, and it will be hardly necessary for me to do more than say very briefly the object with which I bring them forward. The great majority of the amendments of which I have given notice are merely verbal and I need not waste the time of Council by saying more with respect to them, than that it is as well to make the language of the rules which govern the conduct of our business as clear as possible. Another class of amendments which I have to bring forward is directed to the object of giving more time for the consideration of the Bills which have been brought before the Council, and a third class of amendments is directed to the object of making more definite the rules which guide our debates. My object has been in regard to these to bring the Proceedings of the Council more into accord with the Proceedings of the House of Commons. As things stand now, there are several occasions on which a Bill may be debated. The debate may arise on the motion for leave to introduce a Bill or again it may arise on the motion to introduce the Bill ; it may further arise on the presentation of the report of the Select Committee and on the motion that the Council do take the report of the Select Committee into consideration ; and yet another occasion for debating the Bill arises when the motion is made that the Bill be passed. As the rules stand at present, there is nothing in them to show what class of debate there should be on each of these occasions. Now I have no doubt that the members of the Council are well aware that, in order to secure greater despatch of public business, the House of Commons, guided by its long experience, has divided its debates into two classes, that is to say, debates which deal with principles and debates which deal with the details of measures ; and on these occasions when the debate is in regard to principles it does not allow the details to be gone into and on the other hand when it is dealing with the details, it does not allow time to be wasted by allowing the principles of the whole

Bill to be discussed. My object in bringing forward the amendments is to endeavour to establish somewhat of the same practice in this Council. I feel convinced that if we can establish a distinction between the principles and the details of Bills and have different occasions on which each should be debated that will be very much better and will save the time of all of us. With these few remarks I now proceed to the amendments of which I have given notice. I presume Hon'ble Members have before them a copy of the rules as they stand now and a copy of the rules as they will stand. The first amendment I have to propose is that in rule 1 in the definitions of "meeting" and "member" the words "as defined above" be omitted. They are perfectly useless words; they only take up so much room and they may as well be got rid of.

The Hon'ble Mr. Grose seconded the amendment.

His Excellency the President.—We may, I think, take it that the Hon'ble Mr. Grose seconds all these amendments.

The amendment was put to the Council and agreed to.

The Hon'ble Mr. Bliss.—In the same rule, I beg also to move that the following clause be inserted at the end:—"In the computation of clear days, Sundays and holidays are not excluded." The object of this amendment is to make clear the meaning of the phrase "clear days."

The Hon'ble and Rev. Dr. Miller.—I wish to know whether it is necessary to put in those words. It seems to me sufficiently intelligible, and I do not see why unnecessary words should be put in. Has any difficulty arisen on the point?

His Excellency the President.—I have been asked several times whether Sundays and holidays are or are not included in the computation, and therefore it was thought better to clear up once for all any doubt that may exist.

The amendment was put to the Council and agreed to.

The Hon'ble V. Bhashyam Aiyangar.—I propose that in rule 2 between the words "the" and "Gazette" the words "Fort St. George" be inserted. This is merely a verbal amendment.

The Hon'ble N. Subba Rao Pantulu seconded the amendment.

The amendment was put to the Council and carried.

The Hon'ble N. Subba Rao Pantulu.—I propose that in rule 2 between the words "shall" and "notify," the following words be inserted:—"(ordinarily) at least a fortnight before the meeting." I believe your Lordship has invariably given us a fortnight's notice of the meetings of the Council and what I say is that the present practice should be embodied in the rules. I need hardly say that a fortnight's notice is necessary to enable the members to send notice of amendments and motions and make necessary arrangements for being present at the Council. I do not at all wish to restrict the powers of the President. If he wishes to convene extraordinary meetings of the Council, then it may not be convenient to give a fortnight's notice. I therefore propose that these words be inserted.

The Hon'ble K. Kalyanasundaram Aiyar seconded the amendment.

The Hon'ble Mr. Bliss.—With reference to this motion, I venture to point out to the Hon'ble Member that the effect of this amendment will be, if carried, to impose restrictions on the provisions of section 36 of the Indian Councils Act of 1861. That section says:—

"It shall be lawful for every such Governor to appoint all subsequent times and places of meeting of his Council for the purpose of making laws and regulations under the provisions of this Act."

I submit that the Council is not competent to restrict any of the powers of discretion vested in the Governor by the Indian Councils Act of 1861.

The Hon'ble N. Subba Rao Pantulu.—The time and place are entirely left at the discretion of the Governor, but what is now submitted is that when the place and time are fixed by the Governor, the Members may have an opportunity of knowing the place and time before a certain number of days. I do not think it conflicts with the discretionary powers vested in the President of the Council.

His Excellency the President.—As responsible for the calling of these meetings, I think, when the Act gives me discretion to fix time and place, it is hardly for the Council to tie my hands in a way in which the Councils Act does not contemplate. It will be rather a disagreeable and invidious task to undertake and carry out a permissive rule of this character. In calling meetings I have, I think, given the Hon'ble Members enough notice and my intention has always been to give them as long a notice as possible. I think the President should have the power to call a meeting whenever he thinks necessary.

The Hon'ble N. Subba Rao Pantulu.—After the statement from your Lordship, I do not wish to press my amendment. It is not at all my intention to restrict your Lordship's discretionary powers in any way, and I know that hitherto your Lordship has given us sufficiently long notice.

The Hon'ble V. Bhashyam Aiyangar.—I propose that in rule 3 the word "dissolve" between the words "shall" and "the" be omitted, and that the word "declare" instead be inserted and that after the word "meeting" in the third line the word "dissolved" be inserted. A meeting dissolves itself when the business is concluded and all that is necessary is a formal declaration that the meeting is dissolved.

The Hon'ble N. Subba Rao Pantulu seconded the amendment.

The Hon'ble Mr. Bliss.—I have no objection to it.

The amendment was put to the Council and agreed to.

The Hon'ble V. Bhashyam Aiyangar.—I propose that in the same rule in the last line but one between the words "meeting" and "upon" the words "or business" be inserted. That is intended to meet the case where the Council may wish to move for an adjournment not simply of the meeting or of the undisposed-of portion of the business of the meeting, but of a particular business before the meeting. The object of the amendment is to give the same power to the Council as is given to the President. The President may adjourn without any discussion or vote any meeting or business; and following that principle I say that the Council should also have power at any time to adjourn a meeting or any business upon a motion being carried. I will suggest as a further amendment that the words "at any time" be omitted because the next rule provides that the motion for adjournment may be made at any time without previous notice.

The Hon'ble N. Subba Rao Pantulu seconded the amendment.

The Hon'ble Mr. Bliss.—I accept it.

His Excellency the President.—I think the best plan will be for the Hon'ble Member to move that the last part of the rule be cut out and the words he proposes inserted.

The Hon'ble V. BHASHYAM AIYANGAR.—Yes, I have no objection. The last sentence will run "The Council also may, upon motion made and carried, adjourn any meeting or business."

The amendment was put to the Council in this form and carried.

The Hon'ble Mr. BLISS.—I propose the insertion of the following new rules as rules 4 and 5 after rule 3 :—

"4. A motion that a meeting be adjourned or that the Council pass to the business next in order in the statement of business may be moved at any time and without previous notice as a distinct question, but not as an amendment, nor so as to interrupt a speech. If the motion is carried the Council shall adjourn the meeting, or the further consideration of the business then under discussion, as the case may be."

"5. A motion of the kind referred to in the last preceding rule shall take precedence of any other motion then before the Council and, if such motion is rejected, no similar motion shall be made until after the lapse of what the President shall deem to be a reasonable time, nor by the Member by whom the previous motion was made."

These two rules of course hang together and they are taken from the rules for the regulation of discussion in the Senate. There I believe they are found useful. It is desirable to make it perfectly clear that a motion to adjourn a meeting may be made at any time, but it is also desirable that it should be made clear that these motions shall not be made with the object of obstructing the business of the Council. That is to say, they are not to be repeated at intervals of five minutes or so nor more frequently than the President thinks reasonable. Moreover, they are not to be moved by the Member by whom the previous similar motion was made.

The Hon'ble V. BHASHYAM AIYANGAR.—I beg to suggest a slight alteration in the wording of rule 4. I understand that a motion that the Council pass to the business next in order in the statement of business is of a different kind from a motion for adjourning the debate or a meeting; it is a motion for dropping altogether the particular business on the agenda paper. In the University by-laws, from which it is taken, rule 32 says :—

"The motion 'that the meeting pass to the next business on the agenda paper' may be made at any time, in like manner and subject to the same rules as one for adjournment. If such a motion be carried, the proposal under consideration and the amendment thereon, if any, shall drop."

I believe that this is not the kind of motion that is referred to and that all that is referred to in the latter part of rule 3 is a motion to adjourn a meeting or to adjourn discussion upon a particular business before the meeting and not a motion to drop altogether a particular business before the meeting. Therefore what I suggest is that a motion that a meeting or business be adjourned should be made at any time without previous notice as a distinct question and not as an amendment. The latter part of the rule makes clear what is meant by an adjournment. It is simply an adjournment of the debate and not the dropping of a particular business. In the Senate as well as in the House of Commons there may be a motion for dissolution of the meeting. There may be a motion for the dropping of particular business and in addition to this there may be a motion for the adjournment of the meeting or of the debate on a particular business.

The Hon'ble Mr. C. S. Crole.—My Lord, it appears to me that the second clause gives your Lordship power to rule what is an amendment and what is a pure adjournment. I recollect that at the first time that I sat in the Council, the Hon'ble Kalyanasundaram Aiyar proposed a motion and I objected to it, but your Lordship very properly ruled me out of order. My objection was that his motion for adjournment seemed to me to be really an amendment to Mr. Garstin's motion, and as your Lordship ruled against me, I withdrew my objection. When a motion for adjournment is made your Lordship will follow the rule and decide when the motion is an amendment and when it is not. I think that will be sufficient to get over the Hon'ble Mr. Bhashyam Aiyangar's objection.

His Excellency the President.—Is the Hon'ble Member's motion seconded?

The Hon'ble V. Bhashyam Aiyangar.—I did not make any motion, I merely made a suggestion.

The Hon'ble Mr. Bliss.—This suggestion has not been made previously. It is a little difficult in drawing out rules of this kind to see what their effect will be unless we have time to consider them. As I understand, what the Hon'ble Member says is that if we pass a motion that the Council pass to the business next in order in the statement of business, the logical sequence of that will be that the further consideration of that business which was then under discussion shall be dropped. In other words the effect of passing such a motion is the same as what is called "a previous question."

I think the rule may stand thus:—

(Here the Hon'ble Member read the rule, amending it in a particular form.)

I have no objection whatever to adopt that wording which I think will be an improvement on the previous wording.

The Hon'ble V. Bhashyam Aiyangar.—Then there will be three classes of cases.

The Hon'ble Mr. Bliss.—Yes. The first is an adjournment of the meeting, the second is an adjournment of the business and the third is an adjournment of the further consideration of the business on the paper. The effect of the last is that the business is dropped at the meeting.

The Hon'ble V. Bhashyam Aiyangar.—If that were the case, the latter part of rule 3 should give power to the Council to adjourn upon a motion made and carried a meeting or business or further consideration of the subject.

The Hon'ble Mr. Bliss.—I think the rule had better run thus :—

"4. A motion that any meeting or business be adjourned or that the Council pass to the business next in order in the statement of business may be moved at any time and without previous notice as a distinct question, but not so as to interrupt a speech. If the motion is carried, the Council shall adjourn the meeting or business, or the further consideration of the business then under discussion shall be dropped, as the case may be."

The Hon'ble V. Bhashyam Aiyangar.—I second it.

The amendment was put to the Council and carried.

His Excellency the President.—Now we come to new rule No. 5.

The Hon'ble K. Kalyanasundaram Aiyar.—With regard to this rule I propose that the words "nor by the Member by whom the previous motion was made" be omitted. If the President decides that a reasonable time has elapsed, what does it

matter if the motion is moved by the same Member who moved it previously? I believe, my Lord, we may trust to the good sense of the Members of the Council not to move propositions with the view of obstructing business.

The Hon'ble V. Bhashyam Aiyangar.—I believe what is stated in the rule is also the practice in the House of Commons, and certainly so in the Senate. In the Senate, after a reasonable time, any other Member may bring in a motion for adjournment, and the rule is intended to prevent an obstructive Member from bringing forward a motion for adjournment repeatedly, though there may have been a reasonable interval between his last motion and his present motion. I submit that the restriction imposed is in accordance with the practice of the House of Commons and is also in accordance with the rules of the Senate.

The Hon'ble Mr. Bliss.—I regret it is impossible for me to accept the suggestion of the Hon'ble Member for the omission of those words. The fact of the matter is that it does sometimes happen in public meetings, and though I am sure it is not at all likely, still it is possible that there may be an exceedingly obstinate Member who is determined to obstruct the business of the Council. One who wishes to obstruct the business of the Council may rise up from time to time and make a long speech for the adjournment of the meeting, and there is no easier way of causing obstruction than that. It is with the object of preventing any such Member, if there should be any such, from doing so that I proposed to insert the words "nor by the Member by whom the previous motion was made." Inasmuch as all things in the world are possible, the Members of the Council will see the possibility of such a thing as I mentioned happening. If there should be only one member who desires an adjournment of the Council, while twenty other Members do not desire it, the wish of the twenty should prevail.

The amendment proposed by the Hon'ble Mr. Bliss was then put to the Council and carried.

The Hon'ble V. Bhashyam Aiyangar.—I move then in rule 6, line 2, between "meeting" and "or," the words "or adjourned meeting as aforesaid" be inserted; that in line 3 the word "such" be substituted for "a" and that in line 8 the words "Members present" be substituted for "Council," and the words "without proceeding to business of any kind" for "immediately," and that between "adjourn" and "and" the words "until again summoned by the Governor," be inserted.

The Hon'ble K. Kalyanasundaram Aiyar seconded the amendments.

The Hon'ble Mr. Bliss accepted the amendments.

The amendments were then put to the Council and agreed to.

The Hon'ble Mr. Bliss.—The next thing I have to propose is that the rules Nos. 4 to 25 be altered into 6 to 27.

This was put to the Council and carried.

The Hon'ble Mr. Bliss moved that in rule 6 (altered to 8) "7" be substituted for "5," and that in rule 7 (altered to 9) "10" be substituted for "8."

The amendment was put to the Council and carried.

The Hon'ble V. Bhashyam Aiyangar.—I propose that in rule 8, line 4, the word "Governor" be substituted for "President," because no senior Member of Council is President except when he presides. Inasmuch as this matter has to be done previous to the meeting, it is better to have the word "Governor."

The Hon'ble N. SUBBA RAO PANTULU seconded the amendment.

The Hon'ble Mr. BLISS.—I accept the suggestion.

The amendment was put to the Council and carried.

The Hon'ble Mr. BLISS.—I move that in rule 8 (altered to rule 10), clause (4), the words from "the Bills," where it first occurs to "Act 1892" be omitted. This reference to Bills is unnecessary, because the Bills which require the previous assent of the Governor-General cannot be placed before the Council until that assent is given, and consequently no provision need be made that the Secretary shall report to the Council the Bills which have received the previous sanction of the Governor-General.

The Hon'ble V. BHASHYAM AIYANGAR.—I do not understand it.

The Hon'ble Mr. BLISS.—There are certain Bills that must be assented to by the Governor-General before they are introduced, and there are certain other Bills that need not be assented to. As the rules stand, provision is made that the Secretary shall report to the Council the Bills which have received the previous sanction of the Governor-General under section 5 of the Indian Councils Act, 1892. If they require the previous sanction of the Governor-General, they cannot be placed before the Council until they have received that sanction. Therefore there is no object in the Secretary reporting their having received the sanction of the Governor-General, because the mere fact of their being placed before the Council shows that they have received the previous sanction of the Governor-General. Therefore those words are unnecessary and I propose to omit them.

The amendment was put to the Council and carried.

His Excellency the PRESIDENT.—It has been suggested to me that in rule 11 after the word "Member" the following words be added: "and all questions connected with the interpretation of these rules." Though the interpretation of the rules is a point of order, still the addition of these words will clear up all doubts that may exist. I therefore beg to move the addition of those words.

The Hon'ble Mr. PRICE seconded the motion.

The motion was put to the Council and agreed to.

The Hon'ble Mr. BLISS.—I propose that in rule 11 now altered to 13 the following words be inserted at the end: "The President also shall rise when he addresses the Council." As a matter of fact, the President does rise when he addresses the Council. I presume the President is expected to rise when he delivers an address and not when he merely calls upon gentlemen to address the Council. That is the rule in the House of Commons and I think we may follow it.

The Hon'ble MAHARAJA OF VIZIANAGRAM seconded the amendment which was put to the Council and carried.

The Hon'ble V. BHASHYAM AIYANGAR.—I propose that in rule 16 between "mover" and "of" the words "and seconder" be inserted.

The Hon'ble N. SUBBA RAO PANTULU seconded the amendment.

The amendment was put to the Council and carried.

The Hon'ble Mr. BLISS.—I propose that in rule 19 now altered to 21 the words "or by name" be inserted after "division" wherever it occurs. This rule, as it will stand when amended, provides for what the Hon'ble Members may very likely consider desirable on some occasions, namely that there should be a record of the names of those Members that vote one way or another.

The amendment was put to the Council and carried.

The Hon'ble V. BHASHYAM AIYANGAR.—I propose that in new rule 22 for "ask" between "may" and "for" the words "apply to the Secretary" should be substituted. This rule does not appear to relate to any application made in the Council. So far as interpellation is concerned, that matter is not governed by these rules but by rules made by the Governor-General. The object of this rule is that any Member may apply to the Secretary for any papers that he may desire in connection with a motion before the Council or in connection with any Bill.

The Hon'ble Mr. BLISS.—I accept the amendment.

The Hon'ble N. SUBBA RAO PANTULU seconded the amendment.

The Hon'ble Mr. CROLE said that he understood the object of the Hon'ble Bhashyam Aiyangar's amendment was to give a personal privilege to members. The meaning of the rule as it stood at present was that a Member had power, of course on a motion made, to get papers placed before the Council in view to the better discussion of a Bill before the Council. According to Hon'ble Bhashyam Aiyangar's proposal the papers would be for the personal use of the Member, which was an entirely different thing.

The Hon'ble V. BHASHYAM AIYANGAR.—What is contemplated by the rule as it now stands is not a motion before the Council. Whether the Council can pass a resolution that Government should furnish a paper is a matter upon which I do not express any opinion. If such a motion could be made it can be made under rule 23. If a motion is brought before the Council that the Government do place certain papers before the Council, then it will be decided by a majority of votes, and in that case rule 22 does not apply. Rule 22 says any Member may ask any paper; I believe it does not mean the Council, because if it is the Council, the decision cannot rest with the President. The best plan would perhaps be to remove rule 22 to the end of the rules.

The Hon'ble Mr. CROLE remarked that if an emergency should suddenly arise for the immediate production before the Council of certain papers, the President would order them to be produced.

The Hon'ble the Rev. Dr. MILLER.—I quite agree with the Hon'ble Mr. Crole in what he has said. The fact that rule 22 is placed under the head "regulation of discussions" shows that it is intended to apply to the carrying on of discussions at this table. The case evidently contemplated by the original framer of the rule is that in the course of discussion some question may come up and some Member may say that he cannot go on unless we have certain papers before us. The object of the rule is to give power to your Lordship if your Lordship thinks it fit to produce the papers. If the rule is removed from its present place as suggested by the Hon'ble Bhashyam Aiyangar, it will take away the power which is intended to be given.

His Excellency the PRESIDENT.—I think rule 22 should stand as it is and another rule on the lines suggested by the Hon'ble Bhashyam Aiyangar should be inserted at the end of the rules.

This was agreed to.

The Hon'ble Mr. BLISS.—I propose that in rule 22 now altered to 24 the figure "7" be substituted for "5."

The amendment was put to the Council and carried.

The Hon'ble Mr. Bliss.—I propose that in rule 24 altered to 26, the following words be inserted at the end: "but if not so made, or if a Member announces his intention of withdrawing a motion standing in his name, the motion shall not be put unless the Council otherwise orders."

As the rule now stands, if a Member wishes to withdraw a motion there must be a formal motion before he can do so. We had a good many instances on the last occasion when we were dealing with the Proprietary Estates' Village Service Bill of the troublesomeness of such a rule. I think it will be better that the proposer should have leave to withdraw without formal sanction, but at the same time I think it is necessary to provide for the Council insisting upon a motion being made.

The Hon'ble V. Bhashyam Aiyangar.—In rule 26 it is provided that the Member who has given notice of a motion may desire another Member to make the motion or may announce his intention of withdrawing the motion. According to the amendment now proposed no motion need be made unless the Council otherwise orders. That implies that even if the motion is not made and even if it is not seconded, the Council may insist that the motion that stands in the name of a person who has withdrawn it shall be put to the meeting. I do not know whether the use of such power will ever be necessary in this Council especially in connection with the passing of Bills. No doubt in the House of Commons where motions in connection with executive matters are frequently made, it may be necessary that the House should have power to order a motion to be put in order that it may be negatived and that the disapproval of the House may thus be manifested. What I think necessary in this Council is that, if due notice is given of a motion and if the motion is withdrawn either because the person who gave notice of the motion afterwards thinks it unnecessary or because he is absent and has not desired another Member to move it, any Member who is in favour of it may be permitted to move the motion. Therefore the alteration which I suggest is that the last part of the rule should run thus: "but if not so made or if a Member announces his intention of withdrawing the motion standing in his name, the motion may be made by any other Member with the permission of the President." Due notice having been given of the motion, any other Member, if he approves of it, may be empowered to move that motion, and if it is considered desirable that there should be some restrictions placed, then the addition of the words "with the permission of the President" will answer the purpose.

The Hon'ble Mr. Bliss pointed out that even in assemblies such as the Council, motions might be made which ought not to be allowed to be withdrawn but should be absolutely negatived. He observed that there was hardly any limit to ingenuity and that the safest plan was to provide for dealing, as was done in the House of Commons, with distinctly improper motions. He therefore regretted that he could not accept the suggestion made by the Hon'ble Member, but he had no objection to the insertion of a provision enabling any person to bring forward a motion in the absence, and even without the instruction of, the person in whose name the motion stood.

The Hon'ble V. Bhashyam Aiyangar.—As the rule now stands it excludes any Member who approves of the motion from putting it to the Council. If the original mover withdraws his motion and another Member adopts it, how can he move it as the rule at present stands?

The Hon'ble Mr. Crole.—The object is attained by the present wording of the rule. If the Council orders, the motion will be put.

His Excellency the President.—Does the Hon'ble Member press his amendment?

The Hon'ble V. Bhashyam Aiyangar.—Yes, I do. But I will alter my amendment thus: "but if not so made or if a Member announces his intention of withdrawing a motion standing in his name, the motion may be made by any other Member, and if not so made shall not be put unless the Council otherwise orders." I do not think there can be any objection to this amendment.

The Hon'ble Mr. Bliss.—I accept the amendment.

The amendment was put to the Council and agreed to.

The Hon'ble Mr. Bliss.—I propose that after rule 25 altered to 27 the following new rules 28 and 29 be inserted:—

"28. A purely verbal amendment of a motion may be moved at any time during the discussion upon the motion and without previous notice, but no amendment, which is substantially the negative of a motion, shall be taken into consideration by the Council."

"29. A motion shall not be taken into consideration by the Council if it substantially raises a question already disposed of at the meeting or is inconsistent with any resolution already passed thereat."

The object of these new rules is to secure despatch of business. It is essential that Members shall have power to move certain amendments without giving formal notice and at the same time it is desirable to exclude certain amendments, for instance those which are substantially the negative of a motion, in which case we can only vote against the motion and not move an amendment.

The Hon'ble V. Bhashyam Aiyangar.—Rule 28 virtually takes away the power of moving substantial amendments to motions made under rule 27 without giving previous notice. That is a material matter to be borne in mind before rule 28 is adopted. Under chapter 5, a Member is required to give six days' clear notice of a motion which he means to bring forward before a meeting and that motion will be communicated to the other Members only three days before the date of the meeting though it may of course be communicated earlier. Therefore with regard to an amendment to a motion of which previous notice has been given under rule 23, the rules do not require any previous notice to be given, and that for the very best of reasons, namely, it is impossible to give previous notice of an amendment to a motion which has been communicated to the Members only three days before the meeting. Under rule 48 amendments to Bills are placed on the same footing as motions, therefore any Member who has amendments to propose to Bills is required under rule 48 to give six days' previous notice. I think that is as it ought to be. But the insertion of this new rule 28 would imply that we must give previous notice of amendments other than verbal ones to motions made under present rule 21. Therefore I think rule 28 cannot be accepted.

The Hon'ble Mr. Crole remarked that the rule provided that no previous notice was required for purely verbal amendments.

His Excellency the President pointed out that if any amendment was of such an important character that it ought to be taken into consideration, it was perfectly open to the President under rule 23 to admit it. He did not suppose that he would ever stand in the way of proper and sensible amendments being moved and he thought that Hon'ble Members were perfectly safe on that point.

The Hon'ble C. Sankaran Nayar.—If we pass the rule as it stands you will either have to negative a motion or to pass it, and it will not be in the power of anybody to make an amendment. I think there is great force in the Hon'ble V.

Bhashyam Aiyangar's objection to passing the rule as it stands. It takes away the power of every Member to move any amendment to any motion. The rule says that no previous notice need be given of purely verbal amendments and that excludes every other amendment. The result of that will be that you cannot move any amendment. You must either pass a proposition as it is or vote against it.

The Hon'ble Mr. Bliss said that he thought it well to point out that the powers of the Council were extremely limited, and although they could discuss Bills, the Council could do nothing else. The Hon'ble V. Bhashyam Aiyangar had pointed that there was no time to move an amendment to an amendment. But there were two ways in which that could be effected, namely, they could vote against a proposition if they did not like it, or they could show to the President cause for admitting an amendment, and if the reason given were sufficient, the President would no doubt permit them to move it. Or if they could carry the Council with them—and there was no use in Members proposing amendments unless they could carry the Council with them—they could suspend the rule altogether and do what they liked. Therefore he did not see there was any restriction imposed beyond what was absolutely necessary. The object was to give free scope to verbal amendments.

The Hon'ble V. Bhashyam Aiyangar remarked that he did not refer to the question of amendments of amendments.

The Hon'ble the Rev. Dr. Miller.—I think the provision that is proposed to be introduced is a desirable one. I cannot see the great difficulty that is felt by the Hon'ble Bhashyam Aiyangar. The Hon'ble Mr. Bliss has pointed out several courses that will meet his difficulty. If a Member feels that he has not got sufficient time, then he can, under the rules, move for an adjournment of a particular subject, and if he can carry the Council with him, the consideration of that particular subject can be adjourned to a future occasion. That seems to be the remedy. I do not see where the difficulty that Mr. Bhashyam Aiyangar feels arises at all.

His Excellency the President.—I do not think that the Hon'ble Member has any amendment to move.

The Hon'ble V. Bhashyam Aiyangar.—I have no amendment to suggest, but object to the amendment proposed by new rule 28.

His Excellency the President.—Do you challenge a division?

The Hon'ble V. Bhashyam Aiyangar.—No.

The Hon'ble Mr. Bliss.—I now propose that the rules 26, 27 and 28 be altered into 30, 31 and 32.

The amendment was put to the Council and carried.

The Hon'ble Mr. Bliss.—The next point I have to bring to your notice is the omission of words "and where necessary with section 5 of the Indian Councils Act, 1892," in rule 27 now altered to 31. The Bills are introduced under the former Act of 1861. Section 5 of the Indian Councils Act of 1892 says, "the Local Legislature of any province in India may from time to time by Acts passed under and subject to the provisions of the Indian Councils Act, 1861, and with the previous sanction of the Governor-General, but not otherwise, repeal or amend as to that province any law or regulation made either before or after the passing of this Act by any authority in India other than that Local Legislature." That is to say, for the introduction of a class of Bills you have to get the previous sanction of the Governor-General. If you want to repeal or amend as regards this province of Madras any law or

regulation made by any authority other than this Council, you will have to get the previous sanction of the Governor-General. Having got that previous permission it is not under this section that you introduce the Bill, but under section 38 of the Indian Councils Act of 1861,—the Act which originally created this Council. It is under that section that a Bill has to be introduced, but not under this section, which says that if you get the permission from the Governor-General you can enjoy larger powers than you would otherwise enjoy. The words I read out are therefore unnecessary and I propose to omit them.

The amendment was put to the Council and carried.

The Hon'ble Mr. Bliss.—I propose that in rule 28 altered to 32 the words "the" before and "of" after the word "objects," where it first occurs, be inserted, and at the end the following words be added:—

"And will also cause the Bill and the Statement of Objects and Reasons to be published in the *Fort St. George Gazette* in English and in such Vernacular languages as the Council may direct."

I will ask the Hon'ble Members to compare the old rules with the new one. We have now to deal with measures that have to be taken in introducing Bills. Under the rules as they stand at the present moment, the first thing that you have to do is to ask the leave of the Council to introduce a Bill, and having obtained that leave, you have to send in your Bill with the Statement of Objects and Reasons to the Secretary who will cause the Bill with the statement to be printed and communicate it to the members. The next step after that is that you move in the Council that the Bill be read; and then the discussion of the principles of the Bill is provided for. Then you move that the Bill be referred to a Select Committee, and if it is decided in the affirmative, then you fix the time within which it has to be reported upon. After that you proceed to publish the Bill in English and in the Vernacular languages of such parts of the Presidency as are affected by the Bill. Who is the judge to decide in which Vernacular languages the Bill should be published? I therefore propose to amend the provisions of this rule so as to make the matter more clear. The first amendment I have to propose is a purely verbal one, but at the end of the rule I propose to add "and will also cause the Bill and the Statement of Objects and Reasons to be published in the *Fort St. George Gazette* in English and in such Vernacular languages as the Council may direct." It has been suggested that, instead of the word "Council," "Governor" should be inserted. The reason for that alteration is that, according to the rules as they now stand, the printing of a Bill will occur before the Bill has actually come before the Council; and the object of the alteration is to get the printing done as soon as we can, and it is better not to wait until the Bill actually comes before the Council but to proceed to translating and printing it as soon as it is received. Therefore, it is proposed that the Governor should give the direction as to what languages it should be published in. The result of this will be that a member having obtained permission to introduce a Bill will proceed to introduce it not only after it has been communicated to the Members of the Council, but after it has been actually printed both in English and the Vernacular languages and made known to the public.

His Excellency the President.—The Hon'ble Member has accepted the Hon'ble Bhashyam Aiyangar's amendment to substitute the word "Governor" for "Council." I do not know whether he has anything further to say.

The Hon'ble V. Bhashyam Aiyangar.—No.

The amendment was put to the Council and carried.

The Hon'ble Mr. Bliss.—I propose that after rule 28 altered to rule 32, the following rule be inserted as rule 33:—

"The Governor may, at his discretion, direct the Secretary to publish any Bill, together with a Statement of the Objects of and Reasons for it, in the *Fort St. George Gazette* in English and in such Vernacular languages as he thinks necessary, although leave to introduce the Bill has not been applied for under rule 31; and the Secretary shall thereupon do so and shall send a copy of the Bill and of the Statement of Objects and Reasons to each of the members. When a Bill has been published under this rule, it shall not be necessary to move under rule 31 for leave to introduce it."

The object of this is to provide for cases where it may not be necessary to call the Council together to go through the formality of obtaining leave to introduce a Bill. For instance, there is a Bill which will be introduced by my Hon'ble friend the Chief Secretary which has now been before the public and before the members of Government for about three weeks or more. If that rule 33 had not existed, it would have been necessary to call a meeting of the Council for my Hon'ble friend to obtain the leave of the Council to introduce the Bill, the actual introduction of the Bill having to be deferred to another meeting. This rule will facilitate the publication of the Bill before it is introduced in the Council, and the very publication, will have the effect of leave to introduce the Bill having been applied for and having been granted. Rule 32 as it now stands is open to some objections, and therefore I propose to substitute a new rule. The effect of the new rule will be that not only shall we get the publication in English but in the Vernaculars before the Bill is introduced into the Council; and the members will have an opportunity of making themselves acquainted with the terms of the Bill and will thus be better able to make effective criticism upon the Bill.

The amendment was put to the Council and carried.

The Hon'ble Mr. Bliss.—I propose that rule 29 be altered into 34 and that the following clause be inserted as the first paragraph:—

"34. At any time after leave to introduce has been granted under rule 32, or after publication has been ordered under rule 33, the member in charge of the Bill may introduce it; provided that no Bill shall be introduced until it has been published in the *Fort St. George Gazette* in English."

The Hon'ble V. Bhashyam Aiyangar.—I beg to propose that in rule 34 between "introduce" and "has" the words "a Bill" be inserted; after the words "may introduce it" the words "after giving six clear days' notice to the Secretary" be inserted, and for the last 12 words the following be substituted "fifteen clear days from its publication under rule 32 or 33 as the case may be." These words are introduced simply to make the matter clear and fix a minimum period of publication before the Bill is introduced.

The Hon'ble Mr. Bliss.—I accept the amendment.

The amendment was put to the Council and agreed to.

The Hon'ble Mr. Bliss.—The next amendment I have to propose is, that rules 30, 31 and 32 be omitted.

The amendment was put to the Council and agreed to.

The Hon'ble Mr. Bliss.—I move that the numbering of rules from 33 to 47 be altered into 35 to 49.

The amendment was put to the Council and agreed to.

The Hon'ble Mr. Bliss.—I propose that in rule 33 altered to 35 the figures 33 be substituted for 32.

The amendment was put to the Council and agreed to.

The Hon'ble V. Bhashyam Aiyangar.—I propose that in rule 36 the words "submit their reports" be substituted for the words "may report on Bills referred for their consideration."

The Hon'ble N. Subba Rao Pantulu seconded the amendment.

The amendment was put to the Council and carried.

The Hon'ble Mr. Bliss.—It has been suggested by the Hon'ble N. Subba Rao that rule 38 should be altered. The alteration is that the words "the Governor may from time to time extend the period on the application of" be inserted between the words "that period" and the word "the", and that the last eleven words be omitted. It is a convenient alteration and I have adopted it.

The amendment was put to the Council and agreed to.

The Hon'ble Mr. Bliss.—Now we come to rule 39 altered to 41. There are several amendments proposed in this rule by my friend the Hon'ble V. Bhashyam Aiyangar. The rule runs as follows, after making the alterations that I have proposed:—

41. "The report of the Select Committee, any minutes that may *have been* recorded by individual Members of the Committee and the Bill as amended by the Committee, shall be printed and copies furnished to each Member of the Council. The report and minutes, if any, and the Bill, or *such* portion thereof *as may have been amended*, shall also be published in the *Fort St. George Gazette* in *English and in such Vernacular languages as the Select Committee may direct.*"

It is quite obvious that it may not at all be necessary that the reports of the Select Committee or minutes recorded by Members thereof be published. It entirely depends upon circumstances. I can say from my experience in the Viceroy's Council, that sometimes those reports are published and sometimes they are not published. It entirely depends upon what the circumstances are. If the Select Committee has made an important alteration, it is quite right to go to the expense of re-publishing a Bill. But if the Select Committee has not practically made any amendment to a Bill, then it is not worth while to go to the expense of re-publishing the Bill and to waste time. Therefore it is proposed that the report and minutes, if any, and the Bill, or such portion thereof as may have been amended, shall be published in the *Fort St. George Gazette* in English and in such Vernacular languages as the Select Committee may direct. I think we may safely leave it to the Select Committee to say whether publication is necessary or not. On the top of my proposals we have the Hon'ble V. Bhashyam Aiyangar's amendments. He has proposed the following amendments: that in Rule 41, line 3, between "and" and "the," the words "if the Bill has been amended by it" be inserted. I have no objection to that amendment, as that makes the rule more accurate. The next amendment that he proposes is, that in line 7 between "and" and "the," the words "if the Bill has been amended" be inserted, and that between "Bill" and "or" the words "as amended" be inserted. I accept that amendment also. His next amendment is to insert the words "unless otherwise directed by the Select Committee" between "also" and "be" in line 8. I propose to make the Select Committee say what ought

to be done, but he proposes to throw the responsibility upon the Select Committee of deciding what should not be done. I have a preference for my own proposals and would ask the Council to pass them.

The Hon'ble V. Bhashyam Aiyangar.—Does the Hon'ble Mr. Bliss accept my first two amendments?

The Hon'ble Mr. Bliss.—Yes.

The Hon'ble V. Bhashyam Aiyangar.—I believe that the Hon'ble Member in charge of the rules does not accept my amendment in regard to the insertion of the words "unless otherwise directed by the Select Committee." According to my amendment if the Bill has been amended by the Select Committee, then it must be republished in the languages in which the original Bill was published, but I enable the Select Committee to declare that re-publication is unnecessary. If they consider that publication in certain languages is unnecessary, then they may give a special direction.

The Hon'ble Mr. Bliss.—I think, after all, the Hon'ble Member's amendment may be adopted.

The Hon'ble N. Subba Rao Pantulu.—I beg to oppose the principal amendment made in this section, viz., that the power of deciding whether an amended Bill should be republished in the Vernaculars or not should be vested in the Select Committee.

His Excellency the President.—Does the Hon'ble Member oppose the Hon'ble V. Bhashyam Aiyangar's amendment?

The Hon'ble N. Subba Rao Pantulu.—I oppose both the amendments. The substance of the amendments proposed by the two Hon'ble Gentlemen is that it is not obligatory to have republication in the Vernacular languages, the matter being left to the discretion of the Select Committee. Moreover, the amendments draw a distinction between a republication in English and in the Vernacular languages. With regard to the English language, it makes the publication obligatory and does not leave it to the Select Committee; it is only with regard to republication in the Vernacular languages that the Select Committee is called upon to decide whether an amended Bill should be republished or not. What I submit is, that if a Bill that comes from the Select Committee is one that should be republished in English, it ought to be republished in Vernaculars also. I do not see any distinction between English and the Vernacular languages as regards the question of republication. If a Bill has been amended by the Select Committee, then it must be republished in all the languages in which the original Bill was published. A doubt may arise as to what should be done in cases where there is no substantial amendment. In that case there is no difficulty at all as regards translation, and therefore there is no difficulty as regards republication in the Vernaculars. Though this may involve a waste of paper, still it will keep the public in touch with Government. I therefore submit that the original rule may be allowed to stand as it is.

The Hon'ble A. Sabhapati Mudaliyar.—I beg to support the suggestion made by my friend the Hon'ble N. Subba Rao. On the last occasion when the Zemindari Kurnams' Bill was under discussion, the public were very much dissatisfied at the way in which that Bill was hurried through this Council and a translation of the same was not published in all the languages as required by rules. Our object is to invite criticism from those who know only the Vernacular languages. There are, we all know, very few English-knowing people. The general public will not accept the

opinion of the few English educated men as far as the interests of the public are concerned; and therefore they consider that they should have a right of bringing to the notice of the Council any grievances in respect of a Bill or of the amendments made by the Select Committee. I therefore would strongly urge that this Council should not alter the rule in any way, so that the public may not think that anything we pass is not to their interest.

The Hon'ble V. Bhashyam Aiyangar.—The Hon'ble N. Subba Rao has overlooked the fact that in the amendment I propose there is no distinction made between the English and the Vernacular languages. My form of amendment was specially intended to indicate that the rule is to be that the amended Bill is to be republished in the languages in which the original Bill was published, but in exceptional cases the Select Committee may otherwise direct. There is no distinction made between the English and Vernaculars. No doubt, as the amendment proposed by the Hon'ble Mr. Bliss runs, publication in English is made always compulsory, and so far as the Vernaculars are concerned, it is left to the discretion of the Select Committee. I propose that, unless otherwise directed by the Select Committee, it shall be republished in the languages in which the original Bill was published. The Hon'ble N. Subba Rao says that if the amendments are only verbal then republication is easy; but very often the amendments, though verbal, may be numerous, and sometimes Bills which are not substantially altered are entirely recast with no material change in its substance. The Bill as submitted by the Select Committee may be different in wording and in the order of sections from the Bill which was referred to it for consideration; and that will necessitate retranslations. I think the Members of the Council may safely trust to the good sense and judgment of the Members of the Select Committee to exercise the exceptional power which is given to them, viz., of dispensing with republication for good and sufficient reasons. I believe that a similar rule exists in Bombay. Of course it will be perfectly open to any member if, in his opinion the Bill should have been translated and published, to move for an adjournment, if he thinks that the Select Committee has not exercised a wise discretion. I therefore submit that the rule as modified by me will meet the case.

The Hon'ble N. Subba Rao Panutlu—I wish to point out that the rules in Bombay were rules framed under the old Act and were not framed after the enlarged Council had come into existence. According to the Hon'ble V. Bhashyam Aiyangar, the public will have no opportunity in certain cases of making themselves acquainted with the progress of legislation. If this rule is passed, then the public will have no opportunity of knowing when a Bill is passed in the Select Committee and when it is brought before the Council.

The Hon'ble Mr. Bliss.—It makes no difference whatever whether the rules were passed under the old Act or under the new Act. With regard to the question of publishing Vernacular translations, I must express a considerable doubt as to whether the public do ever read Vernacular translations. I have a familiar acquaintance with one Vernacular, and at one time I was fairly familiar with two; and I say with perfect certainty that I do not believe for a moment that if the Vernacular translation of what we have just been reading had been read out to me I could understand it, if I had not the English version by me. I should like to put it to the Hon'ble Member, who has experience in legal matters, if I should take a translation of his observations what proportion of the public would be able to understand it? I believe not even one-hundredth. This question of translation in the Vernaculars is a matter which has come down to us from the Legislative Council of the Viceroy where it

has existed for a much longer time than it has here. In that Council they carry matters very much farther. There is always present an Assistant Secretary to the Council, whose business is to translate and explain speeches to Members unacquainted with English. It is quite accidentally I found this out. I noticed hanging about the Council Chamber a gentleman whom I knew to be the Secretary to the Board of Examiners, and my curiosity was roused as to what he was doing there. It was explained to me that his business was to translate to the Members unacquainted with the English the proceedings which were taking place around them. That shows that the necessity of translation is very much more felt there than here. Everybody knows that there is in Bengal a very large number of public servants who are absolutely ignorant of English, and even to this very day, if I am not mistaken, many of the Tahsildars and Deputy Tahsildars cannot write English. In Bengal therefore the necessity for translation is much felt and the language in which the translation is made there is very much easier than Tamil or Telugu. It is always easy to make a translation into Hindustani; but it is very difficult to make a translation into Tamil or Telugu. Therefore it comes about that while translations may be useful there, here they will be of little value. I may also point out that we have the advantage of the Select Committee who are perfectly competent to decide whether publication is necessary or not.

The Hon'ble K. Kalyanasundaram Aiyar.—I am afraid the Hon'ble Mr. Bliss has been proving too much. If no translation is required, I do not see the use of the first translation. Let us then take the bold step of doing away with all translations, and if we are not prepared to do that, I do not think his argument has met the objection.

His Excellency the President remarked that the question was whether they had confidence in the gentlemen whom they were going to appoint for the Select Committee—whether they did not believe that they were competent to decide the question of translation. He must say that he had absolute confidence in the Members of the Select Committee and he would leave it to them to decide whether a Bill should be published in the Vernaculars or not.

The Hon'ble the Maharaja of Vizianagram pointed out that the matter was one which could be left to the Members of the Select Committee.

After some further discussion rule 41 was passed in the following form :—

"41. The report of the Select Committee, any minutes that may have been recorded by individual Members of the Committee and (if the Bill has been amended) the Bill as amended by the Committee shall be printed and copies furnished to each Member of the Council. The report and minutes (if any) and (if the Bill has been amended) the Bill as amended, or such portion thereof as may have been amended, shall also, unless otherwise directed by the Select Committee, be published in the *Fort St. George Gazette* in the languages in which the original Bill was published."

The Hon'ble V. Bhashyam Aiyangar.—I propose that in rule 42, line 2, between "unless" and "a" the words "the Member in charge of the Bill and" be inserted. It is only a verbal amendment to make the matter clear. It is intended to make the presence of a Member in charge of a Bill at the meeting of the Select Committee indispensable.

His Excellency the President.—Rule 43 says that a Member in charge of the Bill shall always be the Chairman of the Select Committee, and a meeting cannot be held without a Chairman. Will that not cover the case?

The Hon'ble V. BHASHYAM AIYANGAR.—I think by implication it may do.

His Excellency the PRESIDENT.—Does the Hon'ble Member press his amendment?

The Hon'ble V. BHASHYAM AIYANGAR.—No.

Permission to withdraw the amendment was then granted by the Council.

The Hon'ble V. BHASHYAM AIYANGAR.—I move that in rule 43 for the last 14 words, the words "in his stead another Member of the Council" be substituted. As the rule now stands it looks as if the member newly appointed will be in addition to the Members already appointed.

The Hon'ble Mr. BLISS.—I accept the amendment as it is an improvement.

His Excellency the PRESIDENT.—I have a few words to say on this point. When this particular matter came up before me, I thought that, when a Member of the Select Committee was unable to attend a meeting, the Committee should retain its full strength and that another Member should be added. But there was no intention that the new Member should be put on in the place of another Member. It might be that the Member had been away or had not been able to attend the meetings owing to some accident. I remember that at the time when this question was discussed, it was thought proper that the new Member should be an additional Member. I think on the whole it will be better to leave the rule as it is. I should be sorry to cut out of the Select Committee any Member who had been appointed to it.

The Hon'ble V. BHASHYAM AIYANGAR.—If that is the intention, I withdraw my amendment.

Permission was then granted by the Council for the withdrawal of the amendment.

The Council at this stage adjourned.

On the Council re-assembling at 2–35 P.M., the Hon'ble V. Bhashyam Aiyangar said :—I beg to propose the insertion of the three following rules at the end of chapter VII :—

"45-A. The Council may, on motion made by any Member at any time and without the notice required by rule 23, resolve itself into committee."

"45-B. The quorum for such committee shall be the same as that provided for the meeting of the Council."

"45-C. The resolutions passed by the Council in committee shall be embodied in a report by the Secretary, but shall not become final until they have been confirmed by the Council at a subsequent meeting."

The first two rules enable the Council to resolve itself into committee, so that business may be transacted freely, without the necessity of giving previous notice of amendments. I think this provision may have to be taken advantage of in exceptional cases. As a rule, no doubt a Select Committee will be appointed, but in some cases it is contemplated by the rules as they now stand that the Council may take a Bill into consideration without referring it to the Select Committee. Where a Bill may be referred to a Select Committee and the Select Committee submits the reports with amendments and when the Bill comes on under consideration, notice may be given by various Members suggesting numerous amendments. In this latter class of cases, where numerous amendments have been suggested by various Members after the submission of the report by the Select Committee, it will be found impracticable for the Council to effectively deal with all the amendments, if the rules are strictly

observed. It may then become necessary to re-commit the Bill to the Select Committee; but if the suggestion I have made is adopted, the Council may resolve itself into committee and discuss the various amendments. With these two objects I propose this amendment. We are not such a large body as the House of Commons, and even there the whole House very often resolves itself into committee. That was oftener the case formerly than now. I believe since 1882 there are Standing Committees appointed consisting of numerous Members. In the Senate, which is a much larger body than our Council, there is a power for the Senate to resolve itself into committee, and that rule has been found to work very satisfactorily and has been put into force, I believe, in exceptional and necessary cases where there has been a number of amendments proposed which it was thought desirable to consider in committee. It will also tend to despatch of business, for, in the absence of such a power, it may be found necessary to re-commit a Bill to the Select Committee, and when it is re-committed to the Select Committee, there will be longer delay than if the Council resolved itself into committee and considered it. Following the practice of the House of Commons and the Senate, I also provide that the resolutions of the Council sitting in committee must be confirmed by the Council as such at the next meeting. Such a provision is necessary, for, if numerous amendments proposed then and there are considered and accepted by the Council in committee, it will be necessary to see if they are all consistent and harmonious before they are finally accepted by the Council. Therefore I have provided that the resolutions passed in committee should be submitted for confirmation at the next meeting of the Council. I am aware the change I suggest is an important one and I am alive to the fact that I have not given sufficient previous notice of it.

The Hon'ble P. Rangayya Nayudu seconded the amendment.

The Hon'ble the Maharaja of Vizianagram.—My Lord, with due deference to the remarks that have fallen from the Hon'ble Member, I beg to say that the proposal made by him will not be auxiliary to expediting the business of the Council.

The Hon'ble Mr. Crole in opposing the amendment pointed out that what was proposed by the Hon'ble V. Bhashyam Aiyangar was really provided for in sections under the head of "Passing of Bills," and that, if a formal delegation of the powers of the Council to a committee was to become the rule, it would involve the discussion of the same Bill twice over, thus involving a waste of time and not tending to despatch of business.

The Hon'ble Mr. Bliss also speaking against the amendment said that he had given his best consideration to the proposals of the Hon'ble V. Bhashyam Aiyangar, and that he was unable to come to the conclusion that the procedure suggested would facilitate the business of the Council.

The amendment was put to the Council and lost.

The Hon'ble Mr. Bliss.—I propose that in rule 44 altered to 46, the figures 34 be substituted for 29 and that the proviso be omitted. It is for the Council to decide what time it considers reasonable for keeping a Bill before the public. The proviso is therefore absolutely unnecessary and I propose to omit it

The Hon'ble V. Bhashyam Aiyangar.—I propose that for the last 16 words in this rule the following words be substituted: "The Council shall not proceed to take the Bill into consideration until the expiration of 15 clear days from the date when the Bill was read under rule 34." The dates of the meetings are fixed by the Governor as well as the dates of adjourned meetings. As the rule now stands, the Council may proceed to fix a day for the consideration by itself of the Bill without referring it to

the Select Committee within 2 or 3 days after it has been read in Council under rule 34. I submit it is only reasonable that the Council shall not take the Bill into consideration until after the expiration of 15 days at least from its introduction under rule 34.

The Hon'ble N. SUBBA RAO PANTULU.—I submit, my Lord, that this is a very useful provision, because the Bill would then be before the public for a minimum length of time. If the proviso is taken away, there is no guarantee for the Bill being before the public for a reasonable time. If the whole proviso be omitted, I submit the rule will not work well. The present proviso simply says "reasonable time," and the Hon'ble Bhashyam Aiyangar proposes that the time should be at least 15 days.

The Hon'ble the MAHARAJA OF VIZIANAGRAM.—This very question was threshed out on the last occasion. I consider that all these things should be left to the discretion of the President. By introducing new rules we only upset the existing law and create new difficulties.

The Hon'ble Mr. CROLE then spoke in support of the amendment of the Hon'ble V. Bhashyam Aiyangar.

The Hon'ble Mr. BLISS.—After considering the whole matter, I have come to the conclusion that after all the only harm that can result from accepting the amendment of the Hon'ble Bhashyam Aiyangar is that it will cause delay. But I do not know whether that matters much. The legislation that we have generally to deal with will not be of such a nature as to compel us to get a Bill through within a very short time. So I accept the amendment.

The Hon'ble V. BHASHYAM AIYANGAR.—The rule can be suspended when necessary.

The amendment was then put to the Council and agreed to.

The Hon'ble the ADVOCATE-GENERAL.—I move that the following words be added at the end of the new rule 46 : "In this case it shall not be necessary to make, on the day on which the Bill comes on for consideration, a formal motion that the Bill be taken into consideration."

The Hon'ble V. BHASHYAM AIYANGAR seconded the amendment.

The amendment was put to the Council and agreed to.

The Hon'ble Mr. BLISS.—I have to propose certain amendments in rule 45 altered to 47. The rule as amended by me runs as follows :—

"47. When a Bill has been referred to a Select Committee under rule 34, it shall not be taken into consideration by the Council unless *copies of* the report of the Select Committee *and of the Bill as amended by it shall have* been sent to the Madras address of each of the members of the Council at least *fifteen* clear days beforehand *or until the provisions of rules* 32, 33 *and* 41, *in regard to publication, have been complied with.* Subject to *these conditions*, the member in charge of a Bill, when presenting the report of the Select Committee to the Council, may move either that the Bill and report be taken into consideration at once or that the consideration of them be postponed to a subsequent meeting.

"*The discussion upon a motion under this rule that a Bill be taken into consideration shall be limited to the details of the Bill.*"

The alteration is introduced to make the rule more clear. The proposed alteration contains two changes. According to my proposal you will have 15 days' time given you instead of 10 days; and also it will be necessary before the Bill is

taken into consideration to satisfy the provisions of rules 32, 33 and 41. Another alteration is that the discussion upon a motion under this rule shall be limited to the details of Bills. My object is to prevent the mixing up of the principles with the details of a Bill. The principles of a Bill are dealt with on the occasion when the Bill is introduced and also on the occasion when it is passed. But when the Bill is taken into consideration, the Council will go into the details of the Bill and a discussion of the principles of the Bill would be out of place. As regards the time, I propose 15 days and the Hon'ble N. Subba Rao proposes three weeks.

The Hon'ble V. Bhashyam Aiyangar.—I beg to propose that in rule 47, line 5, between "and" and "of" the words "if the Bill has been amended by it" be inserted, and the words "by it" between the words "amended" and "shall" be omitted.

In the same rule, lines 8, 9 and 10, for "or until . . . . complied with" I propose to substitute "and in cases in which the Select Committee has not dispensed with the publication referred to in rule 41, until the expiration of 15 clear days from the date of such publication."

In the addition proposed by the Hon'ble Mr. H. W. Bliss, C.I.E., in paragraph 2, for the last 8 words thereof I would substitute the words "not extend to the principle of the Bill."

I propose the first amendment because we have made an alteration in rule 41 by which in cases not otherwise directed by the Select Committee publication in the languages in which the original Bill was published is made compulsory. This being so, we must give due effect to publication. The publication is recognised as essential; and in the rule 47 as proposed to be amended by the Hon'ble Mr. Bliss, express provision regarding publication under rule 41 appears. I submit we should not allow the Bill to be published only one or two days before it is considered. If you recognise the publication as essential, then it logically follows that it must be a real publication; and I submit it should be before the public for a period of at least 15 days.

The Hon'ble N. Subba Rao Pantulu.—The amendment I wish to propose is that in rule 45 the words "three weeks" be substituted for "10 clear days." The question is simply this, whether 15 days' time, which is suggested, is sufficient. We had an experience of this matter in connection with the Proprietary Estates' Village Service Bill. As a matter of fact the Report of the Select Committee was published just a fortnight before the Bill was taken into consideration. It was found, however, as far as I was individually concerned, that the amendments which I sent in with due diligence did not reach your Lordship in time. If the enlarged Council is to do its work properly, time must be given to the members to send in their amendments. The papers will have to go to the members wherever they may be and they must have time to consider over them. Whenever there is an emergency, the rules may be suspended, but we have now to deal with an ordinary case; and I submit that three weeks is a reasonable period.

The Hon'ble the Rev. Dr. Miller.—I wish to second this proposal. The question that is substantially before us is the length of time during which the Report of the Select Committee should be before the public and as to the time which should elapse between the time that the Bill is put into definite shape and is formally taken into consideration. I submit that three weeks in ordinary cases is the smallest time required for the public to consider what is to be done by the Council. We must

remember that, even in these days of railways, parts of the Presidency are still far away, and even here in Madras if a Member of Council is to do his duty thoroughly, it is necessary that he should have some time to consult with those who are specially interested in questions that come before the Council. Even for those who are in Madras three weeks is by no means too long a time. Some of us at all events are not very experienced in questions that have to be decided by the Council, and such members of the Council may very often indeed have to apply to those who are able to advise them. If they are to deal with them conscientiously, it does seem to me that anything less than three weeks will in ordinary circumstances be too short a time.

The Hon'ble the MAHARAJA OF VIZIANAGRAM spoke against the amendment of the Hon'ble Subba Rao on the ground that the extension of time asked for would only involve waste of time.

The Hon'ble C. SANKARAN NAYAR supported the amendment.

His Excellency the PRESIDENT remarked that, under the circumstances, and in view of the representations made by the Hon'ble Members, he had no objection to three weeks being inserted instead of 15 days. Anticipating considerable delay, however, he hoped that Hon'ble Members would not find it inconvenient to assemble at Ootacamund, if that was necessary.

The Hon'ble V. BHASHYAM AIYANGAR.—I will accept the amendment of 21 days.

Rule 47 was then passed as amended by the Hon'ble Messrs. Bliss, Bhashyam Aiyangar and Subba Rao.

The Hon'ble Mr. BLISS.—I propose that in rule 46 altered to rule 48, the words "principle or" be omitted and that the figures "23" be substituted for "21" and "7" for "5," and that the following words be added at the end: "but it shall not be necessary to give previous notice of amendments of a purely verbal character."

The Hon'ble V. BHASHYAM AIYANGAR.—I move that in rule 48 at the end of the first paragraph the following words be added: "or of amendments consequential upon, or moved in respect of, amendments which have been carried." There is one class of amendments which is consequential upon amendments which are carried, and there is another class of amendments moved in respect of amendments which have been carried. When an amendment has been proposed to the original clause in a Bill, the proposed amendment is considered, and when the amendment is carried, it is carried as against the clause as it stood in the Bill; then it may be desirable to propose a further amendment upon the amendment when the latter becomes the substantive motion. I suggest therefore that amendments should be allowed upon amendments which have been carried and which therefore have become the substantive motions before the Council.

The Hon'ble Mr. BLISS.—I have no objection to the proposed amendment.

The rule was then passed as amended by the Hon'ble Messrs. Bliss and Bhashyam Aiyangar.

The Hon'ble Mr. BLISS.—I gave notice of the amendment that the following words be inserted at the end of rule 48: "In case of doubt the President shall decide whether a proposed amendment is of a purely verbal character within the meaning of this rule and rules 28 and 51." But under rule 11 the President has full power as regards interpretation and therefore he can decide whether amendments are of a verbal character or not. General powers include particular ones. Therefore I propose to withdraw this amendment.

Leave to withdraw the amendment was granted.

The Hon'ble the ADVOCATE-GENERAL.—I move that in rule 49 the following words be inserted "not be moved until the Bill is actually taken into consideration and when moved they shall" between the words "shall" and "be." This amendment only makes the rule clearer.

The amendment was put to the Council and agreed to.

The Hon'ble V. BHASHYAM AIYANGAR.—I propose that in rule 49 at the end the words "and shall be governed by rules 25, 26, 27, 29 and 30 relating to motions" be inserted.

The object of this amendment is to place amendments on the same footing as motions, that is to say, amendments must be seconded and also it should be in the power of the President to put them in such manner as he thinks fit.

The amendment was put to the Council and agreed to.

The Hon'ble Mr. BLISS.—I propose that the following new rule 50 be inserted after rule 47 altered to 49 :—

"50. The President may declare that a proposed amendment of a Bill shall not be discussed or put to the vote on the ground that it is irrelevant or incomplete or that an amendment identical in substance with it has been previously discussed by the Council in considering the same Bill."

The object of this amendment is simply to facilitate business. It frequently happens that amendments are brought forward which if carried will necessitate alterations in half-a-dozen sections. In that case the President should be able to summarily reject an amendment unless it is accompanied by the series of amendments that it necessitates.

The amendment was put to the Council and agreed to.

The Hon'ble V. BHASHYAM AIYANGAR.—I propose that in rule 50, line 5, the words "disposed of" be substituted for "discussed."

The Hon'ble Mr. BLISS.—I accept it.

The amendment was put to the Council and agreed to.

The Hon'ble Mr. BLISS.—I propose that rules 48 to 68 be altered into 51 to 71.

The amendment was put to the Council and agreed to.

The Hon'ble Mr. BLISS.—I move that in rule 48 (altered to 51), line 1, for the word "amendment" the word "amendments" be substituted; that the words "purely verbal amendments and (if the Bill has been referred to a Select Committee)" be inserted between the words "than" and "the"; that the words "upon which it is taken into consideration" be substituted for the words "fixed for consideration of it under rule 44 or rule 45"; that the words "upon motion made" be inserted between the words "may" and "be"; that the words "or rejected" be omitted and that for the words "amendment be" the words "amendments are" be substituted.

I accept however the amendment proposed by the Hon'ble Bhashyam Aiyangar that instead of "such amendments" the following be substituted: "amendments other than purely verbal amendments or amendments proposed by the Select Committee."

The proposed amendments were put to the Council and agreed to.

The Hon'ble Mr. Bliss.—I move that, in rule 49 altered to 52, the word "last" be inserted between "the" and "preceding"; that the words "the motion that the Bill be passed" be substituted for the words "the Bill"; that the words "the Bill" be inserted between the words "and" and "may"; and that the following proviso be added at the end:—"provided that, at this stage, no amendment may be moved without the permission of the President."

The Hon'ble V. Bhashyam Aiyangar.—It is open to any one to oppose the passing of a Bill?

The Hon'ble Mr. Bliss.—Of course.

The amendment was put to the Council and agreed to.

The Hon'ble Mr. Bliss.—I move that in rule 50 altered to 53 for the word "notes" the words "abstracts and the numbering of the sections" be substituted.

The amendment was put to the Council and agreed to.

The Hon'ble Mr. Bliss.—I propose that in rule 57 altered to 60, the figure "58" be substituted for "55:"

The amendment was put to the Council and agreed to.

The Hon'ble Mr. Bliss.—I move that in rule 60 altered to 63, the words "and if" be substituted for the word "and"; that the words "at the meeting at which the motion is made or at and on some future" be substituted for the words "at and on a"; and that the words "is not present at the said meeting or does not appear at and on the said time and day, as the case may be," be substituted for the words "does not then appear."

The amendments were put to the Council and agreed to.

The Hon'ble Mr. Bliss.—I propose that in rule 61 altered to 64, the figures "44" be substituted for "42" and that the word "last" be inserted between the words "the" and "preceding."

The Hon'ble the Rev. Dr. Miller suggested that the words "Rules 44 and 63" should be substituted for the words "Rule 44 and the last preceding Rule".

This was agreed to.

The Hon'ble Mr. Bliss.—I propose that in rule 62 altered to 65, the figure "63" be substituted for "60."

The amendment was put to the Council and agreed to.

The Hon'ble Mr. Bliss.—I propose that in rule 63 altered to 66, clause (3), the words "unless a shorthand reporter is employed" be omitted. Whether a shorthand reporter is employed or not, the Secretary should take minutes of the meeting. He is the man that is responsible, and not the shorthand reporter. A shorthand reporter is employed to take down the valuable speeches that are made in this chamber, but that is an outside matter and is not intended to be covered by these rules. Though a shorthand reporter has been employed, still it is incumbent on the Secretary to take notes of the proceedings in all cases.

The Hon'ble the MAHARAJA OF VIZIANAGRAM.—The shorthand reporter is a very useful person; and if he is not employed there will be a great difficulty.

His Excellency the PRESIDENT.—He will be employed, all the same.

The amendment was put to the Council and agreed to.

The Hon'ble Mr. BLISS proposed in the same rule, clause (6), the substitution of "abstracts" for "notes" and the insertion of the words "and the numbering of the sections" between "chapters" and "thereof."

The amendment was put to the Council and agreed to.

The Hon'ble Mr. BLISS.—I propose that in rule 68 altered to 71, the words "and the fact of such removal shall be announced by the President to the Council" be added at the end. This is proposed merely to bring the rule into accordance with the actual custom.

The amendment was put to the Council and agreed to.

The Hon'ble Mr. BLISS.—I move that the following new rule 72 be added at the end :—

"A member in charge of a Bill may entrust it to any other member and the member to whom it is so entrusted shall be the member in charge of the Bill for the purposes of these rules."

The amendment was put to the Council and agreed to.

A new rule 73, being rule 22 as amended by the Hon'ble V. Bhashyam Aiyangar, was also inserted.

BILL TO AMEND ACT IV OF 1884 (THE MADRAS DISTRICT MUNICIPALITIES ACT).

The Hon'ble Mr. PRICE in introducing this Bill said :—

MY LORD,—The Bill to amend Act IV of 1884 (the District Municipalities Act) having been published under section 32 of the Rules for the conduct of business, a motion under Rule 27, for leave to introduce, is unnecessary. I shall therefore proceed to introduce the Bill and, in doing so, will not detain the Council by making any lengthy remarks.

The defects in the working of Act IV of 1884, which were from time to time observed by Government or brought before it by Municipal Councils, had by 1889 attained a point such that it was considered advisable to set about legislation to amend the Act. A comparatively short Bill was, with this object, accordingly drafted in that year and circulated to all District Municipal Councils, Collectors, the Director of Public Instruction, the Surgeon-General, the Sanitary Commissioner and the Sanitary Engineer for opinion and for any suggestions with regard to further amendments of the existing law which might seem to them fit.

It took some time to obtain the views of all these authorities and to tabulate and consider them, and it was not until the beginning of last year that the Bill, in pretty nearly the form in which it has been printed and circulated to Hon'ble Members, was drawn up. The increase in its size, as compared with that of 1889, has resulted from the adoption of many of the numerous suggestions which were made when the

latter was circulated. The delay which has since occurred in bringing it forward has been caused by its having been detained for a considerable time with the Government of India. Such further changes in, and additions to, Act IV of 1884 as have been suggested since the commencement of 1893 up to date have been noted and will in due course be laid before the Select Committee and the Council. They are few in number. The Statement of Objects and Reasons which accompanies the Bill is so full and complete that but little need be said with regard to the provisions of the Bill itself. It consists largely of short amendments to sections of the existing Act which in most cases experience has shown to be necessary; those Honorable Members who are personally conversant with the difficulties of the actual administration of municipal affairs will no doubt observe that many of these—such, for instance, as the licensing of butchers' shops outside markets; the payment of fees for warrants of distraint when once issued, whether actual distraint is made or not; the exemption conveyed by section 60 of Act IV of 1884, a fruitful source of complaint in the Municipal Councils; the legalization of the collection of fees for private scavengering, which will save Chairmen much trouble and relieve Government of a good deal of writing regarding arrears under this head; and the recasting of schedule A, the inequality of which is a fertile source of grievance with rate-payers—have been dealt with. The Bill has also adopted largely from the City of Madras Municipal Act sections which will greatly strengthen the powers, and I have no doubt stimulate the efforts, of Councils in improving and enforcing sanitation. The ordinary demands which are now being made on Municipal funds owing to the advance in self-government which has taken place of late years have for some time past been steadily increasing and to these have to be added in several cases—in a few years it will probably be in every one—extraordinary calls on account of water and drainage projects—works which are of vital importance to the well-being of every Municipality. Government has from Provincial funds assisted very liberally in the way of both grants and loans at favorable rates towards projects of this nature. In more instances than one, projects for water-supply in particular, which promised to be in every respect satisfactory, have had to be abandoned, because the Municipalities concerned could not, as the law stands, finance them even with the aid offered by Government.

It is financially impossible, and even if it were not so it would not be fair to the general tax-payer, for Government to afford help on a larger scale than it already has.

The only remedy if water-supply and drainage are to become, as they should, a reality in every Municipality, is to increase the powers of taxation at present possessed by the Councils. Section 36 of the Bill provides for this in the case of the taxes on buildings and lands by rendering it permissible for Municipal Councils to raise the rates from 7½ per cent. to 10 per cent. on the annual value. A proposal to raise the maximum of the water-rate to 6½ per cent. also, with the proviso that the whole income derived from this source shall be devoted solely to water and drainage projects, will be placed before the Select Committee. It was brought forward too late to allow of its incorporation in the Bill.

I think that I have now said all that is necessary with regard to the Bill, and I therefore move under Rule 29 of the Rules for the conduct of business that it be read in Council.

This motion being carried the Secretary read the title of the Bill.

The Hon'ble Mr. PRICE then moved that the Bill be referred to a Select Committee composed of the following gentlemen:—

The Hon'ble Mr. BLISS, C.I.E.,
The Hon'ble Mr. GIBSON,
The Hon'ble the ADVOCATE-GENERAL,
The Hon'ble A. SABHAPATI MUDALIYAR,
The Hon'ble N. SUBBA RAO PANTULU,
The Hon'ble S. R. RAMASUBBAIYAR, and
The MOVER.

The Hon'ble N. SUBBA RAO PANTULU seconded the motion, which was carried.

The Hon'ble Mr. CROLE suggested that in view of the length of the Bill, the repeal of the Act and its re-enactment in an amended form seemed expedient.

The Hon'ble Mr. PRICE observed that this was a point which could be considered by the Select Committee.

THE NEXT MEETING.

His Excellency the PRESIDENT.—I am hardly in a position to inform the Hon'ble Members when the next meeting of the Council will be held, but I will put it as nearly as possible one month from to-day.

The Hon'ble the Rev. Dr. MILLER.—I believe our Rules of Procedure will not come into force till the next meeting. I know on a former occasion it was so.

His Excellency the PRESIDENT.—The President will announce his assent to the rules at the next meeting.

The Hon'ble the Rev. Dr. MILLER.—It just occurs to me that if the Hon'ble Mr. Bliss will look through the rules again, he may find some grammatical mistakes. It is better to have the rules ship-shape.

The Hon'ble Mr. BLISS.—The rules will be carefully looked over again, and if there is anything wrong, I will bring it up at the next meeting.

With His Excellency's permission I may say the principal business to be transacted at the next meeting will be the consideration of the Provincial budget, which it will be my duty to lay before the Council. It will be impossible to fix the day until the Imperial budget has been duly discussed in Calcutta and until we have received that portion which deals with Provincial revenue. I believe the budget meeting of the Imperial Legislative Council is to take place on the 22nd instant, and we cannot possibly say how many days it will take before they finally dispose of it and we receive it. But I shall endeavour to present it as soon as I can get it into my hands.

The SECRETARY having announced that there was no further business, His Excellency dissolved the meeting.

(By order.)

FORT ST. GEORGE,
22nd March 1894.

A. BUTTERWORTH,
Secretary to the Council.

MADRAS: PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRESS.

Proceedings of a Meeting of the Council of the Governor of Fort St. George, assembled for the purpose of making Laws and Regulations under the provisions of the Acts of Parliament, 24 and 25 Victoria, Cap. 67, and 55 and 56 Victoria, Cap. 14.

The Council met at the Council Chamber in Fort St. George at 11 A.M. on Monday the 9th April 1894.

PRESENT:

His Excellency the Right Hon'ble the GOVERNOR OF MADRAS, G.C.I.E.—*Presiding.*
The Hon'ble Mr. H. W. BLISS, C.I.E.
The Hon'ble Mr. J. GROSE, M.A.
The Hon'ble the ADVOCATE-GENERAL.
The Hon'ble Mr. J. F. PRICE, C.S.I.
The Hon'ble Mr. C. S. CROLE.
The Hon'ble Colonel J. PENNYCUICK, R.E.
The Hon'ble Mr. W. P. AUSTIN.
The Hon'ble Mr. E. GIBSON.
The Hon'ble Mr. A. T. ARUNDEL.
The Hon'ble Mr. A. MONRO, M.A., B.C.L., Barrister-at-Law.
The Hon'ble Mr. J. STURROCK.
The Hon'ble S. SRINIVASA RAGHAVAIYANGAR, B.A., C.I.E., Diwan Bahadur.
The Hon'ble the MAHARAJA OF VIZIANAGRAM, G.C.I.E.
The Hon'ble V. BHASHYAM AIYANGAR, B.A., B.L., Rai Bahadur.
The Hon'ble Mr. J. A. BOYSON.
The Hon'ble P. RANGAYYA NAYUDU.
The Hon'ble A. SABHAPATI MUDALIYAR, Rao Bahadur.
The Hon'ble N. SUBBA RAO PANTULU, B.A., B.L.
The Hon'ble S. R. RAMASUBBAIYAR, B.A., B.L., Rao Bahadur.
The Hon'ble the Rev. W. MILLER, M.A., LL.D., C.I.E.
The Hon'ble C. SANKARAN NAYAR, B.A., B.L.
The Hon'ble GHULAM MUHAMMAD HASAN ALI KHAN BAHADUR.

NEW MEMBERS.

The SECRETARY.—I have the honour to announce to your Excellency that (1) the Hon'ble Mr. J. Sturrock, I.C.S., and (2) the Hon'ble the Maharaja of Vizianagram, G.C.I.E., have taken their seats as Additional Members of the Council.

QUESTIONS.

In the absence of the Hon'ble A. Sabhapati Mudaliyar the Hon'ble N. Subba Rao Pantulu put the questions that stood in the name of the former.

1. The Hon'ble N. SUBBA RAO PANTULU.—(*a*) Will the Government be pleased to state the results of the enquiries held, and special reports called for, in the matter of establishing Agricultural Banks in this Presidency?

(b) Will the Government place such reports at the disposal of the press?

(c) Has Mr. Nicholson formulated any scheme or submitted his opinion after his visit to the continent and consideration of the mode of working such institutions on the continent? If so, what are his views in the matter, and do Government concur in his views?

(d) Has the Government any scheme under consideration relating to the same, and is it likely to be brought into operation at an early date?

The Hon'ble Mr. J. Grose.—(a) and (b). No special report has been received as to establishing Agricultural Banks, but Mr. Nicholson was placed on special duty two years ago for the purpose of enquiring into the possibility of introducing a system of such banks.

(c) and (d). Mr. Nicholson has not submitted his report yet. When he does so, the Government will give the matter careful consideration and his report will doubtless be published in due course.

2. The Hon'ble N. Subba Rao Pantulu.—(a) Have Government tried the system of paying Government cist through the Post offices in any districts? If so, in how many districts and villages, and with what results?

(b) Have the Government any idea of extending the system to any other districts at an early date?

The Hon'ble Mr. J. Grose.—(a) The system of allowing remittance of Government revenue by postal money order was introduced experimentally in six * districts in the year 1890 and was in force in them for three years, but as the experiment was reported by the Postmaster-General and the Board of Revenue to have proved a failure—a conclusion with which Government concurred—it was ordered to be discontinued. The results of the experiment will appear from the papers printed with G.O., dated 22nd January 1894, No. 53, which has been placed on the Editors' table.

* Chingleput. North Arcot. South Arcot. | Tanjore. Madura. Tinnevelly.

(b) The Government has no present intention of reviving the experiment.

3. The Hon'ble C. Sankaran Nayar.—Whether it is not true that the Government have in Malabar pledged themselves not to tax pepper, and whether it has not been the practice not to tax pepper or the land that bears it?

4. Whether it is now proposed to tax pepper by imposing a tax on the land bearing it?

5. If it is proposed to impose any such tax, will the Government be pleased to place on the table or at the disposal of the press the proceedings or proclamation of 1806, 1827, the Board's Proceedings, No. 1846, dated 16th September 1873, and any other material papers showing the circumstances which led to the promises or pledges referred to above?

The Hon'ble Mr. J. Grose.—The Government is not at present in a position to answer fully the Hon'ble Member's questions (3, 4 and 5) and will, therefore, defer replying to them until some further information, which is required, has been obtained.

6. The Hon'ble C. Sankaran Nayar.—Have the Government or the public any means of ascertaining whether, in cases of search by Salt and Abkári officers, the provision of law which requires the *presence* of two *respectable* inhabitants of the locality at the search is always complied with?

7. Have any instances of non-compliance with this rule been brought under the notice of Government? If so, whether the Government have taken any steps to ensure a strict adherence to the rule?

The Hon'ble Mr. A. T. Arundel.—In all cases in which searches are conducted by Salt and Abkári officers they are required by paragraph 19 of the Commissioner's Circular order I of 1891 to secure the presence of two or more respectable inhabitants of the place (including, if possible, the village head) at the search; and by paragraph 170 of the same circular order, they are further directed to draw up a list, in a prescribed form, of the property seized, to which the signatures of the witnesses and of the person or persons who may be believed to have committed the offence should be taken. This list (a copy of which, if demanded, is to be granted to the accused person) is forwarded at once with the occurrence report to the Inspector of the Circle, and by him to the Magistrate having jurisdiction, if the case is sent for trial. In this way the Circle Inspector and the Magistrate have an opportunity of seeing if these orders are complied with.

No complaints of non-compliance with the above rule have been made either to the Government or to the Board.

8. The Hon'ble C. Sankaran Nayar.—Is it true that, in cases of discharge, acquittal or alleged inadequacy of punishments in Salt and Abkári cases, Magisterial officers have been called upon by the Collector or Revenue Board to explain or justify their order or decision or instructed to punish offenders under the above Acts more severely?

The Hon'ble Mr. H. W. Bliss.—The Board does not call upon Magisterial officers to explain or justify their proceedings; nor do Collectors, as such, do so. The Board when necessary draws the attention of Collectors to any increase of offences against the Salt and Abkári Laws or to inadequate and non-deterrent punishments inflicted by the Magistracy. The District Magistrates, either upon perusal of calendars or upon information received by them in their capacity as Collectors or from other sources make enquiry and pass orders upon the proceedings of the Subordinate Magistracy. The Board may invite the attention of a District Magistrate to any matter which may appear to require his attention; but it is open to him to take such action thereon as he may deem fit.

In the absence of the Hon'ble K. Kalyanasundaram Aiyar the Hon'ble S. R. Ramasubbaiyar put the questions that stood in the name of the former.

9. The Hon'ble S. R. Ramasubbaiyar.—With reference to paragraph 22 of the Proceedings of the Board of Revenue, dated 1st November 1892, No. 719, on the subject of the Tanjore Settlement, and to paragraphs 4 and 5 of the final order of Government thereon, dated 31st July 1893, No. 697, will the Government be pleased to state whether the Settlement officers have transferred from the second to the third group of irrigation any villages in the Máyavaram and Shiyali taluks? If not, will the Government be pleased to direct that full effect be given to its orders?

The Hon'ble Mr. J. Grose.—The Government has no information as to the number of villages in the Máyavaram and Shiyali taluks transferred from the second to the third class, but it has reason to believe that its orders regarding the lowering of the classification of irrigation sources have been given effect to wherever this has been considered necessary. At a Conference held in October and November 1893 by the three Deputy Commissioners who are now engaged in introducing the new rates into Tanjore, it was decided to transfer about 27,000 acres under drainage sources which had

been placed in the first and second classes in the several delta taluks, to the second and third classes respectively, resulting in a reduction in the assessment of about Rs. 27,000. The reduction then estimated for the Máyavaram and Shiyali taluks was about Rs. 4,800 and Rs. 3,000 respectively. The Government sees no necessity for issuing any fresh orders on the subject. In the Máyavaram and Shiyali taluks, the increase in the wet assessment, which was estimated in the Board's proposals at Rs. 1,76,858 and Rs. 66,432 has been reduced to about Rs. 1,40,200 and Rs. 64,200 respectively. When appeals are fully disposed of there may be some further reductions.

10. The Hon'ble R. S. Ramasubbaiyar.—Is the Government aware that the classification of soils made by the subordinate officers of the Settlement Department and approved by the Deputy Commissioners before the final proposals for the settlement of the Tanjore district were submitted to the Board of Revenue, has, since the order of Government, been *raised* in many cases to the disadvantage of the mirasidars; what was the necessity for adopting this procedure in the face of the fact that the Government has ordered that the originally proposed increase of 14½ lakhs of rupees based on the first classification should be reduced to a maximum of 11 lakhs; and will the Government be pleased to order that the final settlement be made on the original classification?

The Hon'ble Mr. J. Grose.—Only one case has recently come up in appeal to the Board in which some land which was originally classed as 3–2, but which was reduced to 3–3 before the scheme was sent up, was at the time of final examination of the accounts raised again to 3–2. In this case it was reported that the reduction of the classification to 3–3 resulted in a needless reduction of the assessment by 11 per cent. In the Máyavaram taluk, it is understood that the classification of some lands was raised after careful enquiry to avoid unnecessary sacrifice of existing revenue. The amount of increase due to this change was, however, only Rs. 2,165, while the reductions granted in other cases and in lowering the classification of irrigation sources and on garden lands has resulted in bringing down the net increase on wet lands from Rs. 1,76,858 as originally estimated by the Board for this taluk to about Rs. 1,40,200. The Hon'ble Member is probably aware that classification of soils is not final until settlement pattas are issued. The original classification is done by subordinates whose work has to be checked by Head Classifiers and Supervisors, and finally by Assistant and Deputy Commissioners. But the preparation of a general scheme for the settlement of the district cannot and need not be delayed until all this examination by superior officers is completed. The scheme is intended to determine the money rates that should be adopted and is based on the approximate results of the classification made by the Classifiers and checked as far as possible by the Head Classifiers and others in a few typical taluks. The sanction of Government to a settlement scheme merely prescribes the scale of rates to be applied to different soils. These rates cannot be altered, but it is fully within the competence of the Deputy Commissioner to decide before the issue of pattas, whether particular fields have been properly classified or not. In fact it is his duty to satisfy himself, before applying the sanctioned money rates, that the classification of soils has been properly made and to this end he must have full discretion to correct any errors that may be found in the original classification. Very generally this discretion is exercised in giving relief in cases of heavy increases over the old assessment. If in rare instances the classification is raised, it is done after a careful consideration of the circumstances of each case. Even where the land had been previously inspected by the Deputy Commissioner, there is no reason why he should not be allowed discretion to make modifications before the final issue of pattas.

It is always open to parties affected by the action of the Deputy Commissioner to appeal to the Board.

The request contained in the concluding sentence of the Hon'ble Member's question is not understood, as, if the final settlement is to be made on the original classification, the reduction of the increase ordered by Government cannot well be carried out. The original classification must be lowered in many cases to carry out a portion at least of the reduction.

11. The Hon'ble S. R. Ramasubbaiyar.—Is it true that the estimated outturn in the case of the lands of many mirasidars of Tanjore has been fixed a great deal higher than is warranted by the accounts furnished by them, and that in so fixing it the Settlement officers have given no consideration to them and made no enquiry whatever as to the genuineness or accuracy thereof, though when the Collector and the Deputy Commissioner heard objections to the general scheme they had stated that the accounts would be duly considered at the time of the final settlement?

The Hon'ble Mr. J. Grose.—The question is too general to admit of a satisfactory reply. The Hon'ble Member will have seen from the orders quoted by him in his question I that previous to the submission of the settlement scheme, the ryots of the Tanjore district systematically evaded producing either their accounts or lease deeds, though frequently applied to by the Settlement officers. If these documents are produced at the time fixed for hearing of objections or appeals, the Government has no doubt but that the officers responsible will give due consideration to them. In most of the cases which have recently come up before the Deputy Commissioners in which lease deeds have been filed to show that the produce obtained was less than the standard adopted in the settlement scheme, it has been found that the net income in grain derived by the ryots, commuted at the average rate of Rs. 1-0-8 a kalam sanctioned for the district, was considerably more than double the assessment fixed on the land in the new settlement. The Government has no reason to think that on the whole the grain outturns in Tanjore have been fixed higher than they should be.

12. The Hon'ble S. R. Ramasubbaiyar.—Will the Government be pleased to direct the Settlement Department to furnish to individual mirasidars copies of the irrigation statements and other material papers relating to their respective holdings whenever such copies are applied for?

The Hon'ble Mr. J. Grose.—No special orders seem to the Government to be necessary. Copies of all accounts, except the classification registers (which are not given until the completion of settlement), are given by Settlement officers if the usual charges are paid, and ryots are also allowed freely to inspect the accounts mentioned at the time of hearing objections. No complaints have reached the Board or Government that Deputy Commissioners have refused to grant copies of the accounts referred to. The final classification adopted in settlement is noted in the pattas issued to the ryots.

13. The Hon'ble S. R. Ramasubbaiyar.—Is it a fact that at present there are many cases in which District Superintendents of Police are placed in charge of Assistant Superintendents' divisions and that this is the result of there not being a sufficient number of competent officers available for the latter office? If this be a fact, will the Government be pleased to consider the propriety of giving a trial to selected Inspectors of Police in the office of Assistant Superintendent of Police.

The Hon'ble Mr. H. W. Bliss.—A return received from the Inspector-General of Police shows that on the 4th instant six District Superintendents were in charge of the

sub-divisions of Assistant Superintendents on account of the paucity of officers. In regard to the latter part of the question, I beg to refer the Hon'ble Member to the answer I gave him on the 5th January last.

14. The Hon'ble S. R. Ramasubbaiyar.—Is the Government aware that there are loud complaints that the administration of justice in the Chief Court of Pudukkóttai is seriously hampered by the alleged existence of personal animosity between the Chief Judge on the one hand and the two Puisne Judges on the other? If so, has the Government ordered any enquiry to be made with a view of promptly remedying the existing undesirable state of things?

His Excellency the President.—I beg to inform the Hon'ble Member that the Government has no information upon the subject.

15. The Hon'ble P. Rangayya Nayudu.—Will the Government be pleased to state whether it is a fact that in a large number of criminal appeals preferred by convicts in the Central Jail, Salem, to the Head-quarters Deputy Magistrate of Salem between the months of January to July 1893, the results of the appeals were not communicated to the Jail authorities until after the release of the several appellants from jail on the expiration of their respective terms of imprisonment?

16. Whether a statement was submitted by the Superintendent of the Central Jail, Salem, to the Inspector-General of Jails some time in September 1893, complaining of the above omission on the part of the Head-quarters Deputy Magistrate of Salem, and, if so, whether the Government will be pleased to cause such statement to be laid on the table?

17. Will the Government be pleased to cause a tabular statement to be prepared and laid on the table exhibiting in separate columns, in the case of each such appeal, the date of its transmission from the Jail, the date of its receipt by the Head-quarters Deputy Magistrate, the date of its filing, the date of its disposal, and the date of communication of its result to the Jail authorities, the remarks column showing which, if any, of the entries corresponding to these appear in the Magisterial diary of the Head-quarters Deputy Magistrate, Salem, as interpolations?

18. Whether it is a fact that in a number of Jail appeals, the appeals were filed and rejected or filed and confirmed on one and the same day without any previous notice to the appellants?

19. Whether it is a fact that a convict named Sellan, who was sentenced in June 1893 by the Stationary Sub-Magistrate of Atur to three months' rigorous imprisonment, was released from jail only about the beginning of October 1893, *i.e.*, nearly a month after the date on which he should have been released if he had preferred no appeal to the Head-quarters Deputy Magistrate, Salem, and whether the Government will be pleased to call for an extract from the diary of the said Magistrate showing when and how this appeal was finally disposed of?

20. Whether it is a fact that, in the criminal appeals preferred by convicts Nos. 7221, 7231, 7261, 7262, 7265 and 7267, the results whereof the Superintendent of the Central Jail, Salem, complained were not communicated to him, the Head-quarters Deputy Magistrate of Salem, on being called on for an explanation, reported to the District Magistrate that the records of these appeals were not to be found in his office?

The Hon'ble Mr. H. W. Bliss.—The Government has no information on these matters, but I may state, for the Hon'ble Member's information, that if any persons have any such causes of complaint as are insinuated in the Hon'ble Member's questions, their proper course is to apply to the constituted authorities for redress. I may also refer the Hon'ble Member to the petition rules which he will find published in the *Fort St. George Gazette* of the 14th January 1890.

21. The Hon'ble P. Rangayya Nayudu.—Whether the Government will be pleased to direct Superintendents of Jails to submit in future to Government such remarks as may be made from time to time by official and non-official visitors to the jails with respect to convicts, in the disposal of whose appeals such visitors may note any unusual delays long enough, in their opinion, to have caused miscarriage of justice?

The Hon'ble Mr. H. W. Bliss.—Under Jail Code Rules 47 and 49 copies of remarks made by official and non-official visitors are sent by the Superintendent of the Jail to the Inspector-General, who may, if in his opinion it is necessary to do so, forward the same to Government and who is bound to do so if any question of real importance is raised by the visitors. The Government considers these provisions amply sufficient, and is not prepared to adopt the course suggested by the Hon'ble Member.

22. The Hon'ble P. Rangayya Nayudu.—(*a*) Whether it is true that Mr. R. Sewell, Collector and District Magistrate of Bellary, issued a confidential circular to the subordinate magistracy in the Bellary district to the effect that the Government looks up to them for the detection and suppression of crime and that they should help the Police and that they should not think that their duty was simply to hear evidence and decide cases as the Sessions Court and the High Court do?

(*b*) Whether it is true that the Collector and Magistrate of Coimbatore has issued a circular to all the subordinate magistrates of the district enjoining them that offences of illicit tree-tapping under the Abkári Act should be dealt with more severely and that the fines levied should be more than the value of trees thus illicitly tapped?

The Hon'ble Mr. H. W. Bliss.—(*a*) The Government has no information on this subject, but if the facts are as stated, the District Magistrate's action was open to no objection. The Hon'ble Member appears to be unaware that the duties of the magistracy extend to the prevention and detection of crime. This is clear from the preamble to the Police Act which states that the Police force is an "instrument at the disposal of the magistrate for the prevention and detection of crime."

(*b*) The Government has no information on this subject.

23. The Hon'ble P. Rangayya Nayudu.—Will the Government be pleased to state the amount of charges incurred in this Presidency for conducting the jamabandi during the last three years and also the amount of remissions made during those years?

The Hon'ble Mr. J. Grose.—It is not clear what charges are referred to by the Hon'ble Member. If the travelling allowance paid to officers on tour in connection with jamabandi work and the contingent expenditure incurred by them are intended, it would be impossible to furnish the required information without a detailed examination of the accounts of expenditure incurred by taluk and divisional officers during the time that jamabandi was in progress; and even then, the information would not be accurate as a great deal of the work relating to the general administration of the taluk or division is carried on during the progress of the jamabandi and the accounts do not distinguish the expenditure incurred solely for jamabandi purposes from that incurred in the ordinary course of administration.

The season remissions are shown in the annual reports which are duly published.

24. The Hon'ble P. Rangayya Nayudu.—In view of the fact that the Government has purchased the South Indian Railway Company, will the Government be pleased to state—

(*a*) What supervision does the Government exercise over the South Indian Railway as regards its administration?

(*b*) What was the surplus revenue of the Company for the half-years ending June and December 1893?

(*c*) Whether it is a fact that some twenty loco-engines, costing over Rs. 5,00,000, have lately been brought out from England and found to be unsuitable for lines and bridges owing to their additional weight?

The Hon'ble Colonel J. Pennycuick, R.E.—(*a*) Government control over the South Indian Railway may be divided into two parts, the one relating exclusively to that Railway, and the other comprising the powers which Government exercises over it in common with other railways under the Indian Railways Act.

The powers exercised under the first of these heads are detailed in the contract between the Secretary of State for India in Council and the South Indian Railway Company, and those under the second division, in the Indian Railways Act of 1890, copies of which I shall be happy to place at the Hon'ble Member's disposal if he wishes it.

(*b*) In the half-year ending June 1893, the South Indian Railway Company earned, after paying 3 per cent. interest on the Company's capital and working expenses, Rs. 5,55,604; this amount was divided thus—the Company taking Rupees 1,02,778 and Government taking Rs. 4,52,826. In the half-year ending December 1893 the amount earned was Rs. 1,89,041, of which the Company take Rs. 34,670 and the Government Rs. 1,54,371. The share taken by the Company and the Government varies slightly as the Company's amount of capital invested is fixed and the Government capital increases.

The particulars relating to the June half-yearly accounts were placed at the disposal of the public in paragraph 5 of G.O., No. 1398 R., dated 27th November 1893, and those relating to the second half-year will be made public according to custom in due course.

(*c*) Twenty locomotive engines were lately received from England. It was found, when they were weighed after erection here in India, that the weights on some of the axles were greater than the weights allowed for metre-gauge engines under the Government rules which, however, provide for an excess in weight under special circumstances.

The Government Inspector has to give a certificate that the bridges are of sufficient strength for the extra weights and he has directed certain bridges to be strengthened, which work it is anticipated will be completed in six months.

Meantime the engines are available for duty on portions of the line where the bridges do not need alteration and they are also permitted to be used on the portions of the line where the bridges require alteration provided the speed is limited to a walking pace. The cause of and responsibility for the excess weight of these engines is being enquired into.

25. The Hon'ble P. Rangayya Nayudu.—Will the Government be pleased to publish before final adoption its draft rules for the recruitment of Provincial Service in this Presidency?

Is it the intention of the Government to reserve one of the Under Secretary's posts in the Government Office for a member of the Uncovenanted Service in accordance with the recommendations of the Public Service Commission?

Will the Government be pleased to state why it was that the post of the Assistant Secretary to the Government in the Legislative Department, hitherto held by Uncovenanted officers, has been conferred upon a member of the Civil Service?

The Hon'ble Mr. H. W. Bliss.—The Government is unable to publish before final adoption the rules for the recruitment of the Provincial Service in this Presidency which are being drawn up in communication with the Government of India.

(2) In Notification No. 483 of the 16th December 1892, published in the *Fort St. George Gazette*, one post of Under Secretary to Government (pay Rs. 700) has been included in the appointments to which members of the Madras Provincial Service can properly be appointed subject to the rules for the time being in force under 33 Victoria, cap. 3, section 6.

(3) The post of Assistant Secretary to Government is included in the list of appointments to fill which recruitment is made for the Indian Civil Service and was held by members of that service for several years previous to Mr. Pringle's appointment, which was made, with the sanction of the Secretary of State, on very special grounds. The appointment to act in the room of Mr. Pringle was conferred on a Civilian in view to giving one of the younger Covenanted officers Secretariat training.

26. The Hon'ble N. Subba Rao Pantulu.—Whether the appointment of Stationary Magistrates of the lowest grade and the relieving of Tahsildars of ordinary magisterial functions has worked satisfactorily; and, if so, whether Government contemplates extending the separations of magisterial from executive functions to the higher grades of the Revenue Department?

The Hon'ble Mr. J. Grose.—The answer to the first part of this question is that the results of the Stationary Sub-Magistrates' scheme for the year 1893—the first complete year during which the scheme has been in operation—will be reviewed in connection with the report on the administration of criminal justice for 1893 which will be published in due course. The Government is not yet in possession of the information which would enable it to answer this question fully.

The answer to the second part of the question is, No.

27. The Hon'ble N. Subba Rao Pantulu.—(*a*) Whether the attention of Government has been drawn to the complaints referred to by the Public Service Commission "respecting the inequality of pay and rank and the unequal chances of promotion which exist in the case of military men and civilians, respectively, who enter the upper subordinate service (of the Public Works Department) with similar technical qualifications," and whether any action has been taken to remove the said complaints?

(*b*) Will the Government be pleased to lay on the table any correspondence that may have passed on the subject between the Government of Madras and the Government of India?

The Hon'ble Colonel J. Pennycuick, R.E.—(*a*) The terms under which military subordinates are appointed to the Public Works Department are fixed by the Government of India and are beyond the control of the Madras Government.

Under these terms military subordinates have a considerable advantage over others on first joining, as they always join as overseers, 1st grade, while non-military men usually join as overseers, 3rd grade.

As regards subsequent promotion, all are on the same footing.

As regards subsequent salary, the pay of military subordinates is based upon the principle of a staff salary in addition to military pay, and the sum of these two is sometimes greater and sometimes less than the consolidated salary drawn by civil subordinates; in the former case the military subordinate gets the benefit of the difference, in the latter his pay is made up to the amount of the consolidated salary.

Out of 31 military subordinates now in the department, 20 are drawing salaries varying from 50 to 10 per cent. in excess of those of civilians in the same grade.

On the other hand military subordinates are compelled to retire at 55 years of age, while civilians can, if physically fit, remain in the service till 60, and the pensions which can be earned by military men are in most cases considerably less than those which can be earned by civilians in the same departmental grades.

(*b*) The Government does not consider it desirable to lay the correspondence in question on the table.

28. The Hon'ble N. Subba Rao Pantulu.—(*a*) With reference to the answer of Government at the meeting of the Council held on the 14th November last, relating to the notification issued by the Kistna District Magistrate in connection with the recent celebration of Dasara in the town of Masulipatam, that the matter was then under the consideration of Government, will the Government be pleased to state whether any enquiry was made in the said matter and lay on the table all the papers relating thereto together with the orders of Government thereon, if any ?

(*b*) What is the strength of the Special Police enlisted at the instance of the Superintendent of Police in the said matter under Act XXIV of 1859 ?

(*c*) Will the Government be pleased to state whether before such enlistment the services of the Reserve Police and the local Volunteer Corps were availed of and whether any Military and Police pensioners or Government and village servants were enlisted on the occasion, and, if they were not, whether there was any reason why they were not enlisted before it was thought necessary to enlist pleaders, merchants, trustees and servants of religious institutions, and others, not so specially qualified ?

(*d*) Is it a fact that, after the issue of the notification of the said District Magistrate, the inhabitants of Masulipatam stopped their Dasara festivities and made no attempt whatever to celebrate the same ?

(*e*) Was the Special Police continued and kept on duty after the 20th October (the last Dasara day) up to about the 19th November for a total period of nearly six weeks, and, if so, will the Government be pleased to state the circumstances under which they were so kept on duty ?

The Hon'ble Mr. H. W. Bliss.—(*a*) The Government received an exhaustive report upon the disturbances at Masulipatam from the Superintendent of Police, Kistna, and several reports from the District Magistrate. The action taken by the local authorities was justified by the circumstances of the case, and the Government has already intimated to the District Magistrate its approval of the course adopted to maintain order. The Government must, however, decline to make public the correspondence which has passed on this subject as it is mostly of a confidential nature.

(*b*) It appears that about eighty Special Police officers were enrolled.

(*c*) The local authorities have complete discretion to select whom they think fit for service as Special Police officers. In this case, the Special Police officers were selected as nearly as possible in equal proportions from the Hindu and Mussulman communities, and respectable persons were chosen for obvious reasons. The District Magistrate has expressed his surprise that the selection of respectable persons should have been treated as a grievance. The Government shares his feeling and considers it a matter for great regret that so much reluctance should have been evinced in certain cases to aid in the maintenance of law and order.

(*d*) The Government understands that the Hindus did practically abstain in certain quarters of the town of Masulipatam from celebrating the Dasara of 1893.

(*e*) Section 16 of the Police Act leaves the time for which Special Police officers shall be retained entirely to the discretion of the Police officer at whose request they were enrolled. The Superintendent seems to have considered it advisable to retain them in the present instance till the 16th or 17th November.

29. The Hon'ble P. Rangayya Nayudu.—Will the Government be pleased to state the amount of money spent for famine relief purposes in this Presidency during the years 1890, 1891 and 1892, and how much of it was spent from the Provincial Fund and how much from the Local Funds? If any amount was spent from the Local Funds, in what districts?

The Hon'ble Mr. H. W. Bliss.—A copy of G.O., dated 5th October 1893, No. 983, Financial, which contains full information on this subject, will be furnished to the Hon'ble Member.

RULES FOR THE CONDUCT OF BUSINESS OF THE MADRAS LEGISLATIVE COUNCIL.

The Secretary.—I have the honour to announce that the amended rules for the conduct of business in the Madras Legislative Council, which were passed by the Council at its meeting held on the 7th March last, received the assent of His Excellency the Governor on the 14th idem.

FINANCIAL STATEMENT.

The Hon'ble Mr. H. W. Bliss.—My Lord—This is not the first occasion on which the Provincial budget has been laid before this Council for discussion under the rules framed and promulgated in February 1893 for carrying into effect the provisions of section 2 of the Indian Councils Act, 1892; for, on the 12th of April last, my honorable friend, Sir Henry Stokes, who preceded me in the office which I have the honour to hold, laid before the Council the Provincial financial statement for the year 1893–94, which has just expired. At that time, however, this Council had not attained its present enlarged dimensions, but contained only a comparatively small number of non-official members. That number has since been largely added to, and the Government has now the advantage of the assistance and advice of a considerable number of non-official Members of Council, all of whom, I think I may say without giving offence, or being suspected of desiring to do so, are more or less imperfectly informed as to the exact nature of the provincial system of finance. They know that certain heads of revenue and certain heads of expenditure are Imperial and certain others Provincial, but are probably not quite certain which heads are Imperial and which Provincial; and if doubtful as to those heads of revenue or expenditure which are either wholly Imperial or wholly Provincial, they are probably still more doubtful as to what are called the divided heads—those heads, that is, which are partly Imperial and partly Provincial and which are divided between Imperial and Provincial, sometimes in one proportion, sometimes in another. I cannot therefore, I think, do better than preface the statement of the Provincial finances which I have to-day to present to the Council by a short account of the Provincial system of finance from its rise until the present time.

The first remark which I have to make is that the term which is commonly used with reference to the Provincial system of Finance—that of the Provincial contract as it is called—is a complete misnomer. This was pointed out by Sir Henry

Stokes last year. The word "contract" implies an arrangement between two independent persons, each of whom is equally free to agree or to disagree. That is certainly not the position in the present case. The Government of India and the Government of this Presidency are not equal and the latter is not independent. On the contrary, the Government of India is supreme and the Government of this Presidency is subordinate, and in respect to nothing is this more true than in respect to the public revenue and expenditure. Putting on one side the sums which are raised in this and other provinces under local enactments for expenditure on strictly local objects—such sums, I mean, as the revenues of local boards and municipalities and as the land-cess from the proceeds of which village servants are paid—there is no kind of revenue of any importance raised in this country which is limited in scope to a single province. The land revenue, the salt revenue, excise, customs, opium and the rest, all are levied throughout India under the same authority and as far as possible on the same system, though with such modifications as are necessary to meet local conditions, and all belong, not to the province in which they are raised, but to the Government of India. And it is only just that this should be so, for it is the Government of India which is responsible, not any one province, for the financial solvency of the country as a whole. It is the Government of India which maintains the army which defends the frontiers and preserves internal peace; it is the Government of India which pays the pensions in England of the men who have served it here, and which finds the money for the irrigation works which have turned deserts into gardens and for the railways which have transformed the conditions of Indian life; it is on the security of the Government of India, not of any province, that the capitalists of the Western world are willing to find the funds for the development of the resources of this country, on terms more advantageous than can be commanded by any other civilized Government save perhaps that of Great Britain alone. The revenues then, belonging, as they do, to the Government of India, the position of the several local Governments in relation thereto is that of mere agents. It is for the Government of India to determine in each case to what extent and for what period it will be for the general advantage that a share in the general revenues arising from particular sources shall be handed over to the local Governments for expenditure on particular objects. It follows, I think, that in times of financial pressure the Government of India is justified in calling on the Provincial Governments for assistance, as it has done before and is doing now. It is concerned with the greater, they with the lesser, affairs of the State; and it would not be tolerable that the credit of India should suffer or that the army on which we all depend for our security should be weakened, or that heavier taxation than otherwise would be necessary should be imposed on the whole community, in order that Provincial Governments should be able to maintain the scale of expenditure on provincial objects which was suitable to better times, and which, I do not doubt, the Government of India will be pleased to see them resume when better times return, as I trust they soon may. It is a mistake to think that it should be otherwise—that each province should retain the proceeds of taxation levied within its borders subject only to the obligation to contribute to the Imperial exchequer a fixed proportion of its receipts. That is a proposal I have often heard made. At first sight it seems fair. In reality it would work most inequitably. For one thing it would utterly prevent the development of the younger and poorer provinces. It fell to me once to investigate proposals of this kind, but I must not pursue the subject now.

I have said sufficient, I think, to show Hon'ble Members the unsuitability of the word "Contract" to express the financial relations which obtain between the

Government of India and Provincial Governments. It is a convenient word, however, for it is short; and we may therefore continue to use it, provided we are careful to recollect that it is not used with any idea of accuracy, but merely as a symbol.

I now turn to the history of Provincial finance. It dates from the year 1871, when Lord Mayo was Governor-General. Before that year, the control of every branch of both revenue and expenditure rested with the Government of India. It was felt, however, by Lord Mayo and his advisers that while on the one hand the Governments of the several provinces were liable in their anxiety for administrative progress to allow too little weight to fiscal considerations, the Supreme Government was not always in the position to distribute satisfactorily the resources actually available; that measures involving expenditure were thus regarded from different points of view by the Supreme and Local Governments; and that in consequence of this ill-defined division of responsibility conflicts of opinion injurious to the public service were inevitable. It therefore considered that the obligation to find the money necessary for administrative improvements should rest upon the authority whose immediate duty it was to devise such improvements—not on the Supreme Government which could not understand fully local requirements and had not the knowledge necessary for the successful development of local resources. At the same time, it was considered essential that the Imperial finances, then in a straitened condition, should be relieved by charging on local resources some part of the Imperial expenditure then existing.

What has been termed "Lord Mayo's decentralisation scheme" was accordingly brought into operation. Seven heads of service, namely, Jails, Registration, Police, Education, Medical (establishments excepted), Printing and Public Works (Communications and Buildings), were handed over to Local Governments, while, to enable them to make provision for the wants of those departments, the receipts under the first six of the same heads were surrendered by the Government of India and an adjusting grant was sanctioned from Imperial funds of sufficiently large amount to make the two sides of the account balance one another on the basis of the estimates of receipts and outlay for the year then current. The pressing need for relieving the Imperial exchequer was then met by a rateable deduction, affecting all provinces except British Burma, from the total of the revenue side.

The Provincial assignment for Madras stood as follows:—

	RS.
Grants on account of the newly provincialised heads of service ..	87,67,000
Estimated receipts under the same heads	8,18,000
Net charges ..	79,49,000
Rateable deduction	5,54,000
Net permanent assignment ..	73,95,000

Subsequently, certain additions were made to the provincialised heads of service, notably Minor Departments, Stationery, District Post and Miscellaneous, the permanent assignment being on the occasion of each transfer raised by a sum equivalent to the existing cost of the new service.

The Local Governments were empowered, subject of course to the condition that the services transferred were properly maintained, to distribute the annual assignment as they considered fit, and whatever savings could be effected under the heads of expenditure, or whatever increases accrued under the heads of receipt, could either be made available for other provincial purposes or be kept in reserve.

A radical defect of this scheme was that, as the Local Governments had no large share of revenue assigned to them, there was no special stimulus or opportunity for the development of revenue by careful management. Another lay in the inelasticity of the items of revenue transferred. The income of such departments as Jails, Education, Registration and Police could not, within a short period, be expected to vary considerably. On the other hand it was obvious that the expenditure on Education and Police, and in a smaller degree on Jails, was likely to rise from year to year as those departments developed. In the opinion of those best competent to judge, the grants for several years had been wholly inadequate to the necessities of the Presidency, and as the *status quo* in 1870–71 was adopted in determining the future assignment, a condition of things which called for early reform was unfortunately perpetuated. Year by year, the Madras Government felt themselves bound to raise the grants for Education and Police at the expense of Public Works, the only department under which the expenditure was at all optional.

In 1877, an extension of the existing provincial arrangements, suitable to the case of each province, was proposed by the Government of India. The ordinary administrative establishments classed under Land Revenue, General Administration, and Law and Justice were made Provincial, and heads of revenue of a more productive kind than those transferred in 1871 and subsequent years were, in Bengal and elsewhere, handed over to the control of the Local Governments; and the provincialised heads of revenue and expenditure were again balanced by an adjusting Imperial assignment. A second new feature in the contracts of 1877 was the introduction of the principle of Provincial responsibility for Productive Works; that is, Railways and Irrigation Works, many of them unfinished, were made over to the Provincial Governments with the condition that they should make good out of their net savings all interest upon capital laid out upon them by the Imperial Government. This arrangement affected chiefly Bengal and the North-Western Provinces, and partly also the Central Provinces and Burma, and it was mixed up with another question, that of the imposition of local rates, as a means of meeting the net charge for Productive Works and the cost of protection against Famine.

Madras, however, continued under the arrangements of 1871, owing to what is believed to have been a lamentable misunderstanding. The proposals made in the case of this Presidency by the Government of India could not, as it then appeared, be accepted without assured financial embarrassment, and they were therefore curtly rejected in a demi-official communication. In the case of other provinces, however, the details of the proposed arrangements were subjected to discussion. If the same course had been adopted here and if the reasons for the unwillingness of the Madras Government to accept what was placed before them had been made known to the Government of India, there is no reason to doubt that the latter would readily have so modified the scheme as to make it workable.

In the viceroyalty of Lord Ripon, the financial arrangements in regard to all the provinces were revised. The principle of Provincial responsibility was carried still further and the arrangements for all the provinces were drawn upon the same lines. On this occasion the Madras Government accepted the proposed contract which was for the five years 1882–1887. The receipts from Excise, Assessed Taxes, Stamps, Registration and Forests, which departments are more directly under the management of Local Governments, were on this occasion divided equally between Imperial and Provincial; those from District Post, Minor Departments, Law and Justice (comprising Courts of Law and Jails), Police, Education, Medical and Stationery and

Printing were wholly, and those from Marine, Miscellaneous and Public Works were almost wholly, surrendered to Provincial, while Land Revenue, Tributes, Customs, Salt, Interest and Superannuations, which are heads more particularly under the management of the Supreme Government, were reserved to Imperial, except in the case of some minor items. Forests were afterwards made wholly Provincial in the case of Madras. On the other hand, the cost of the great heads of expenditure, Land Revenue and General Administration (certain special departments being excluded) were (in this Presidency for the first time) provincialised, and the charges—to be borne in some instances wholly, in others partly—of the newly provincialised departments were similarly treated. And to make the sum of the provincial revenues equal to that of the heads of charge, a fixed percentage (28·8073) on Land Revenue was assigned to Provincial from Imperial.

I have had prepared and have laid on the table a statement (No. I) which shows in abstract the financial position of the Presidency at the opening of this five years' contract of 1882–87. It will be seen from it that the sum of the receipts, exclusive of the adjusting contribution, was Rs. 93,84,000 and that of the charges Rs. 222,47,000. During the currency of this contract the total income from the principal heads of revenue comprised in it, that is, from Excise, Stamps, Registration and Forests, rose by over 28 per cent. The Provincial balance increased by about 26 lakhs and the standards of the Provincial annual revenue and expenditure each increased by about 16 lakhs, or at the rate of about 1½ per cent. per annum.

In framing the second quinquennial contract of 1887–92, it was determined that, instead of the assignment of a fixed percentage of the land revenue to effect equilibrium, a fixed annual allotment of Rs. 33,01,000 should be made by Imperial to Provincial, while at the same time a share (one-fourth) of the Land Revenue was provincialised. A further change was that the receipts from the very progressive heads of Stamps and Excise, which until then had been equally divided between Imperial and Provincial funds to the great benefit of the latter, were made divisible in the proportions of 1 to 3 and 3 to 1, and other minor changes which need not be noticed were effected. Forests remained wholly Provincial, as before. The position at the opening of this second quinquennial contract is shown in another statement (No. II) which I have had prepared and laid on the table. During its currency, there was a further advance, equivalent to 27·5 per cent., in the total revenue of the principal heads previously mentioned, and the balance at the credit of the Provincial Government rose at one time to 80 lakhs of rupees. Famine expenditure, however, and the decrease of revenue due to unfavorable seasons soon reduced this balance, so that at the end of the period of the contract it was rather lower than at the beginning. During the five years, the standards both of Provincial revenue and of Provincial expenditure continued to rise much as in the previous quinquennium.

The third Madras contract—that now running—was on the same lines as the second, and only three alterations of considerable importance were ordered. The revenue and expenditure on Forests which had been wholly Provincial were made equally divisible between Imperial and Provincial; the expenditure under Salt, previously Imperial, was provincialised in the same proportion as Excise expenditure; and an inconvenient and complicated arrangement under which the outlay on tank restoration was adjusted through the land revenue head was terminated by the entire provincialisation of the charges on the basis of an annual outlay of five lakhs, the Madras Government undertaking to provide for any excess over that amount from increased revenue or from balances, while on the other hand the Imperial Government forewent an adjustment on account of interest on past special assignments.

I have laid on the table a statement (No. III) showing in abstract the financial position at the opening of the third contract—that for 1892–97.

This review of the past history of provincial finance will, I think, satisfy any unprejudiced critic that the system has led to very good results. A comparison of the three statements numbered I, II and III, which I have laid on the table, will bring out clearly how considerable has been the development of the finances on the one hand and of the chief services on which proper administration must always depend on the other. In making this comparison, Hon'ble Members must not forget to pay careful attention to the column headed "Proportion" since it is only therefrom that the total improvement in the financial condition of the Presidency and in the administrative efficiency of the different departments can be gauged. I have already mentioned the great increase which has taken place during recent years in the receipts under the principal heads of revenue comprised in the Provincial contract. The additional funds thus obtained have to a large extent been utilized within the Presidency, both in the extension of the operations of different departments and in the improvement of the position of the public servants employed therein. Within the eleven years over which this review extends the percentage of increase of expenditure under some of the chief departments has been as follows :—

	Percentage of increase.
Forests	104 9
Registration	63·7
Education	41·4
Law and Justice *cum* Jails	16·5
Land Revenue	15·9
Police	12·5

Nor are extraordinary items, which often represent the most useful classes of expenditure, included in these figures. In addition to strengthening and rendering more efficient her establishments under, it may without exaggeration be said, every important head of service, Madras has been able to assign about thirteen lakhs to the Máyavaram-Muttupet Railway and eight lakhs to schemes of municipal drainage and water-supply, and to aid the general finances of India by contributions amounting in the whole to Rs. 17,50,000. That the Presidency should have been in the position to do all this, to have met without appealing for any assistance from Imperial revenues the heavy losses and the increased outlay consequent on a succession of years of scarcity and famine, the direct charges on this account being in excess of 22 lakhs, and yet to have closed the eleventh year with a surplus to credit of 26 lakhs, as shown in the statement marked No. IV, which also I have laid on the table, is to my mind a conclusive justification of the provincial system of finance.

Having now, my Lord, I fear, wearied the Council with this account of the past history of Provincial finance, I will proceed to the business which is now more immediately before us—that is to say, what is called the budget for the official year 1894–95. I need not, however, detain the Council very long in respect of that, for the papers have already been circulated to Members of Council and they contain a full statement of figures and such explanations as seemed to me necessary for the due understanding of them. I will, therefore, confine my remarks to very narrow limits. I must begin by pointing out an unfortunate misprint in page 3 of the memorandum already circulated, under the head 37, Construction of Railways. There "two-thirds" should be "one-third" and I should be much obliged if Hon'ble Members would make the necessary correction. The figures which have been circulated to Hon'ble Members deal, as usual, with three periods. First is the year 1892–93 which expired on the

31st March of last year. For that year we have the accounts closed. The second is the year 1893–94 which closed on the 31st March last. For that year we have what are called the revised estimates—that is to say, we have facts for ten months and estimates only for the last two months. We have not had time to ascertain the receipts and expenditure for February and March. Thirdly, we have, what is properly speaking, the budget—that is, our anticipation of revenue and expenditure during the year which has just commenced. Hon'ble Members will notice that, as regards the actuals of 1892–93, the budget of that year provided for a deficit of Rs. 25,44,000—that is to say, the deficit consisted in this:—that the balance at the end of the year would be less than that at the beginning of the year by that sum. It was estimated that it would be reduced from Rs. 40,27,000 to Rs. 14,83,000. The latter is a sum absolutely below the minimum allowed by the Secretary of State. There were, of course, many reasons for the excess of expenditure over the receipts, but the principal reasons may be given under the following heads:—There was an allotment for famine of 10 lakhs, for construction of railways of 15½ lakhs, and for the introduction of Stationary Sub-Magistrates there was an allotment of 2 lakhs. The total of that, Hon'ble Members will see, is 27½ lakhs. Of course, on the other hand, there is the set-off expected in the matter of contribution by the Tanjore Local Fund Board towards the cost of the construction of the Máyavaram-Muttupet Railway. The contribution that was expected was over 11 lakhs and therefore the total excess under these heads of expenditure over receipts in the year 1892–93 was reduced from 27½ to 16½ lakhs. Those 16½ lakhs to a very large extent, Hon'ble Members will see, accounted for the budget deficit of Rs. 25,44,000. But, as has been pointed out in the memorandum, the actual deficit was very much less and was reduced to Rs. 15,91,000 and the year closed with a balance of 26 lakhs against the Rs. 14,83,000 as was anticipated. The principal measure of importance introduced during the year was the scheme for the employment of Stationary Sub-Magistrates. That scheme was introduced from the 1st of October 1892. As I mentioned just now, the provision for that in the budget was 2 lakhs. The actual expenditure, however, amounted to Rs. 91,894 only, the scheme not having been introduced quite as soon as was expected. While on this subject I may mention that in the year 1893–94, which has just expired, it is expected that the expenditure under this head will reach Rs. 2,32,500. It may be worth while mentioning a few other matters, not mentioned in the memorandum that was circulated, and a few other causes which affected the finances of the year 1892–93. For instance, Hon'ble Members will notice that the stamp revenue of that year was the highest on record. As I have mentioned in the memorandum, that was mainly due to the development of trade and the increase in litigation. Another reason was the introduction of the system of copy stamp paper in all courts. This was a new measure and though there was an apparent increase of revenue, there was a set-off on the other side by the additional cost of paper; but Hon'ble Members will easily understand that if you sell more stamps you must allow a greater amount in the way of commission to stamp vendors, and that the increase in receipts under the sale of stamps means also an increase in the expenditure under the same head. After looking through the papers that I have, I think there is hardly anything else that is worth while troubling Hon'ble Members with in regard to the finance of the year 1892–93. If any Hon'ble Member wishes to have any further information, and if I am able to give that information, I shall be happy to do so.

The next subject to be considered is the revised estimate for the year 1893–94 which has just closed. The budget estimate of that year provided for a deficit of Rs. 7,30,000. The revised estimate for the year provides a surplus of Rs. 45,000.

The consequence is that the revised estimate is $7\frac{3}{4}$ lakhs better than the budget. I do not know whether it is worth while to say very much more. I have explained the principal causes of decreases and increases in the memorandum circulated and a few others may possibly be made mention of. For instance, there is the decrease in the receipts under the head of Salt. That is due to the absence of the Excise cess at the Ennore factories and reductions in other factories in Chingleput owing to excess collection in the previous year. The revenue under Forests may be affected by the recent orders directing the credit to Land Revenue of receipts derived from unreserved lands over which the Forest Department exercises no actual control. The receipts under Registration are not quite so large as was expected. The fact is that the original estimate under Registration was oversanguine and took too large a credit for certain abnormal receipts which are not likely to recur with the return of more favorable seasons and which were derived from fees for searches in connection with the advances made under the Land Improvement and Agriculturists' Loans Act which swelled the receipts under Miscellaneous during the past three years. There is a small decrease in the receipts under Scientific and other Minor Departments, which is due to the fact that there was a decrease in the indents received by the Government Botanist for quinine and febrifuge manufactured at the Government manufactory. Again, the original estimate under Civil Works is not expected to be realized. The estimate now put forward is based upon the actuals of the earlier months of the year. I think there is hardly anything that I need trouble Hon'ble Members with and they will recognize the difficulty of dealing with the revised estimate, because we are not dealing with anything certain. We shall know more about it later on.

Then I come to the budget of the year 1894–95. That provides for a deficit of Rs. 6,45,000. Hon'ble Members may like to hear what the principal heavy allotments are during the year. One is the contribution that we have to make under what is commonly known as the Women and Children's Hospital of Rs. 79,000. This does not appear in the statement except in an indirect form but is concealed in page 18 under the head of "adjustments" under Land Revenue. I will explain how exactly that comes about. Hon'ble Members are aware that this Government has long been of opinion that a new hospital for women and children should be erected. Arrangements were made some years ago for beginning the work just outside the Fort between the Fort Glacis and the Medical College, and when these arrangements had proceeded to a certain length, the Military Department interfered and said that it would never do to have a building near the Fort. Consequently the Government had to give up the idea of using that site. Then there were negotiations as to various sites and the end of it all was that the Military Department have agreed at last to give up the building which they now occupy within the General Hospital under the name of the "Station Hospital" for use as the Women and Children's Hospital. Then you will ask how they are going to dispose of their sick soldiers who have been hitherto accommodated in those buildings. In the first place there is a fine hospital at Poonamallee and it is the intention of the Military Department to send a major portion of their patients to that hospital which is now practically empty. It is also necessary that they should have some hospital close to the Fort in which they can accommodate those patients who are not in a fit condition to be sent so far as Poonamallee as well as those who are required to be kept under observation from day to day, and for this purpose they wish to have a small hospital called the "Detention Hospital." To erect a hospital of that kind the cost of Rs. 79,000 will have to be incurred, and inasmuch as that expenditure is due to the fact of the Military Department giving up, for the use of the Provincial Government, the buildings which are now occupied by them in the General

Hospital, it has been decided that that should be raised at our cost. Therefore there will be a contribution from Provincial to Imperial funds. The custom in regard to extraordinary contributions such as frequently occur from time to time either from Provincial to Imperial funds or from Imperial to Provincial funds is that they shall pass through the Land Revenue head—that is to say, they are taken account of in fixing the amount of assessment under Land Revenue for the particular year. I explained just now that the amount of the assignment to be given under the present contract is about Rs. 33,01,000. Now Hon'ble Members will see from the budget the various adjustments that have been made from time to time, and that in this year—the year that is now current—the adjustment is expected to fall to Rs. 28,68,000—that is to say, it will fall by nearly $4\frac{1}{2}$ lakhs. The principal cause of this is the contribution that we have to make of 3 lakhs of rupees to the Imperial finances besides the Rs. 79,000 I have just been speaking of. I think I mentioned in my memorandum that this Government has been called upon to make that contribution; if I did not, the Press has placed Hon'ble Members in possession of the fact; but it may be of interest to them to know what is the extent of the call made upon us as compared with the call made by the Imperial Government on other Provincial Governments. I should explain that the Government of India has carefully examined the various estimates with a view to determining what each Government should be called upon to pay without imposing an unequal burden upon any one of them. The figures for the different Provinces are—Madras, Rs. 3,00,000; the Central Provinces, Rs. 4,30,000; Assam, Rs. 2,60,000; Bengal, Rs. 2,00,000; the North-Western Provinces, Rs. 5,00,000; Bombay, Rs. 5,60,000; and Burma, Rs. 19,50,000. So you will see on the whole Madras cannot be said to be unfairly treated. The total amount of all these sums according to Mr. Westland's budget is 42 lakhs. The two sums of 3 lakhs and Rs. 79,000 pretty well account for the reduction under "adjustments," and the difference is made up by minor sums. To return to the main head, namely, the increase in expenditure which will cause our balance to be reduced in the current year from Rs. 26,45,000 to Rs. 20,00,000, I have already mentioned Rs. 3,79,000. Other sums are—

	RS.
For Police	94,000
„ Education	46,000
„ Minor Works and Navigation	1,25,000

thus making a total of Rs. 6,44,000. Of course, there is one very large amount which has fallen somewhat unexpectedly, and this item is exchange compensation allowance. As regards that, I have been asked by an Hon'ble Member what is the total amount of compensation allowance budgeted and the amount of increase. I suppose he means by that the amount of increase caused by compensation allowance. In regard to the total amount of the exchange compensation allowance, I will give the best information I can. I have a statement here for 1893–94 giving the heads of exchange compensation allowance. The total comes to Rs. 3,29,663. In the budget estimate originally furnished to the Government of India, the amount was Rs. 2,67,000, calculating exchange at 1*s.* 4*d.* In the final estimate that we sent up for 1894–95, the expenditure under this head was taken at Rs. 4,34,410, calculating the average rate of exchange at 1*s.* $2\frac{3}{4}$*d.* Now the rate of exchange for the year has been taken at 1*s.* 2*d.*, and so the exchange compensation allowance has to be re-calculated. When the Government of India asked us to take the rate of exchange at 1*s.* 2*d.*, they said they would re-calculate the amount and enter it in our estimates. I have no doubt they have done so. I cannot give the details at present. All I can say is the total sum that they

give us now is found on page 25 of the Gazette of India Extraordinary, which contains the Imperial budget. They give the figure at Rs. 6,93,000 for Madras on account of exchange compensation allowance. We have not been able to find out how that amount is arrived at, and we cannot see how it happens to be such a large amount. There is another little difference in the figures. I have already stated our expenditure on exchange compensation allowance for the year 1893–94 at Rs. 3,30,000. But I find, however, that Mr. Westland puts it down at Rs. 3,84,000. I have not got the details as yet from the Government of India and therefore I am sorry to say that I cannot afford the Hon'ble Member any further information. I have already stated what I can in regard to the actuals of 1892–93 and in regard to the revised estimate of 1893–94. I think what will further interest Hon'ble Members will be found in the memorandum already circulated, so that the additional remarks that I have to make are very few indeed. Stamps have increased owing to the development of the country and so has excise. We are recovering from a series of bad years and we are also benefiting by the change of system in regard to the toddy revenue. On the other hand, we made some provision for farm schools, but we had to cut that out when we had to contribute 3 lakhs to the Government of India. I do not think there is anything else that I can mention. There is another further question asked by an Hon'ble Member. He wants to know the details of the Establishment under Civil works. All I can say is, here is a Government order of 64 pages full of figures, and I do not know if the Hon'ble Member would wish this to be read out. I think not. If this is the kind of information that he requires, a copy of it will be supplied to him, if he will apply to the Hon'ble Colonel Pennycuick. I hope he will derive much pleasure from the study of this mass of figures. The same Hon'ble Member wants to know the cause of the increase in the estimate under the head of Engineers of Rs. 20,000 and of the increase under the head of Upper Subordinates of Rs. 5,000. The increase in regard to Engineers is due to the increase of salaries lately given to the Executive Engineers, First and Second Grades, and to the increase in the proportion in the upper grades. As regards the increase in the Upper Subordinate establishment, I hardly thought the Hon'ble Member would have asked the reason of that increase. Considering the amount of 3 lakhs that we have to pay to Imperial, that sum is so small that it is not worth considering. However, as a matter of fact, there is no increase at all, because the real difference, which amounts to Rs. 4,724, is due to a reduction in the deduction on account of pay of absentees. As the Hon'ble Member may be aware, when these estimates are framed you have to make a deduction on account of the number of men who, on the average, will be absent during the year on leave. The reduction made on that account is Rs. 4,724, but on the other hand the pay of this portion of the establishment is Rs. 276 less than in 1893–94. And another question that the Hon'ble Member asks is—"What is the number of overseers and delta superintendents and lascars employed in Gódávari and Kistna?" Well, in regard to this question the lists show the total number of all ranks of Upper Subordinates, but not of overseers, there being no fixed number of overseers. Taking the number of Upper Subordinates altogether in the Gódávari district, there were and will be 16; and there were 20 and there will be 22 in the Kistna district. But in regard to the number of overseers that are employed at present, I can tell the Hon'ble Member that in Gódávari there are 7 permanent overseers and 4 temporary, and in Kistna there are 8 temporary and 8 permanent. The Hon'ble Member wanted to know about lascars. In Gódávari there were 116 and in Kistna 109, but in future there will be in Gódávari 18 and in Kistna 23. The decrease is accounted for by the fact that in future a very large number of them will be charged to "Works." Then again I am asked about the details of charges under

19-A. I can only say I have not got the printed budget of the current year. We have received only one copy in manuscript, but I will show the Hon'ble Member what sort of thing it is that he has asked me for. He has asked me for the details contained in these pages (shows a thick book). These pages are full of figures and I do not think it will be convenient to read them out in the Council. When we receive the printed copies from the Government of India we will send one to the Hon'ble Member if we have a copy to spare; if not, there will be one available in the office for study. If he will apply to the Secretary, he can get an old copy, say, last year's budget, which is practically the same as the new one. It will give the required information as regards the details of the number of clerks, &c. Another question he asks is the amount proposed in Mr. Garstin's scheme for revising the clerical establishment attached to Taluk offices excluding Revenue Inspectors and Taluk Sheristadars. As to that, information can be had in the Government office, but it does not in any way relate to the matter that we are dealing with—the budget of 1894–95. I hope the Hon'ble Member, if he wants the information, will ask for it separately and not expect it to be dealt with now.

To sum up the whole thing, the payment of exchange compensation allowance has been a disturbing element in the accounts of the past and current years and it enters largely into the heads Land Revenue, Law and Justice—Courts of Law, Medical, Police, General Administration and Education. Notwithstanding this unexpected addition to Provincial expenditure and the further contribution of three lakhs which this Government has been called upon to make in order to relieve the Imperial Exchequer, the improvement in the revenues has enabled the Government to make provision in the budget for 1894–95 for strengthening the establishments of the Registration and Police departments and to assign a larger grant for Minor works and Navigation and to leave a balance of 20 lakhs, which, under the contract, is the minimum amount which has to be held in reserve. I trust the Council will be satisfied with this account.

His Excellency the PRESIDENT.—If the Hon'ble Members wish to make any remarks on the budget they may do so.

The Hon'ble N. SUBBA RAO PANTULU.—With your Lordship's permission I wish to make a few observations. The reason why I asked for the details of charges under Law and Justice (19-A) is that there are certain items in the civil estimates which I could not well understand. There is, for instance, an item of about Rs. 70,000, being one-fifth of the pay of Tahsildars, which is debited to "Law and Justice." When the Tahsildars were discharging magisterial functions, I could understand the reason for debiting one-fifth of their pay to "Law and Justice." But since the appointment of Stationary Sub-Magistrates they have been, I understand, considerably relieved of those duties. I do not therefore see why the same proportion should be continued now. Again, another item which I have not been able to understand is an item of more than two lakhs, being one-fifth of the cost of Taluk establishment debited to "Law and Justice." This includes the pay of Revenue Inspectors, clerks, peons, &c., who do wholly revenue work. I have not been able to understand why the cost of this establishment, which does solely revenue work, should be debited to "Law and Justice." Again, there are some items amounting to nearly Rs. 30,000 and odd, connected with Hill Tract Agencies, four-fifths of whose cost is debited to "Law and Justice." I do not quite see why one-fifth only should be debited to the general administration and four-fifths to "Law and Justice." At first sight it appears that these expenses are required in the Hill Tracts as much for the needs of the general administration as for the administration of "Law and Justice." All these items amount to nearly three lakhs. That is why I enquired of the

Hon'ble Member in charge of the Financial Statement the details of items that go under "Law and Justice" in the present budget. I feel, my Lord, that no effective criticism can be offered without being in possession of all the details of the budget. I speak for myself, and I believe there are others who like myself do not thoroughly understand the subject without having the details from which the budget is prepared. I hope, therefore, that some arrangement will, if possible, be made to furnish the members with the details of the budget beforehand. If the details of the budget could not be furnished, I believe it will be possible to circulate to the members the details of the various items upon which it has been based and which have been passed in the different departments of Government, so that members may see how the various lump sums entered in the budget have been arrived at. Seeing that these details had not been furnished, I ventured to ask the Hon'ble Member for certain details which he has been kind enough to give at this meeting.

I hoped, my Lord, that there would be an increased provision in the budget for the employment of a better-paid agency in the Irrigation Branch of the Public Works Department (Civil Works, 45). But from the answers given by the Hon'ble Member in charge of the Financial Statement, I find no such provision made. I ventured to hope that there would be some provision in the budget, especially after the statement in this Council in answer to my question about the Delta Superintendents that "the evils arising from the employment of an inferior class of men in the distribution of water in the deltas have already attracted the attention of the officers of the department." These evils, my Lord, are not of recent growth, nor of recent standing. But they have been in existence almost from the time when this inferior class of men was entertained—for the last twenty years or more. This grievance of the ryot population of the deltaic tracts—I am speaking of Gódávari and Kistna—has passed into a proverb in the Telugu language that "water wants fodder." There is no reason for surprise at the present state of things when we consider the conditions under which this class of men is recruited and how they carry on their work. They are asked by Government to be content with a monthly pay of from Rs. 40 to 70—the majority of them receiving less than Rs. 55; they are charged with distributing water to an area varying from 10,000 to 50,000 acres each; they have practically an absolute control over channel sluices for the regulation of which there appear to be no regular rules. They are required to be on circuit and keep a horse without any travelling allowance, and they are assisted by lascars on Rs. 5 or 6 a month, who have immediate charge of about 5,000 acres each. I may mention in this connection that a rule has recently been promulgated by this department that those who have to cultivate their lands by 15th June, *i.e.*, before the river receives freshes, should apply for permission to the department not once for all, but every year, and it is the Delta Superintendent that has the authority of recommending the grant of such permission. I will not trouble your Lordship now with details to show how the rules and practices of the department place the ryot population at the mercy of this "inferior class of men." If there is one department more than another on which expenditure might be liberally increased, I submit it is this branch of the administration, for it directly brings in revenue, and an enormous revenue too. The Gódávari Delta, according to the latest administration report available, after paying an interest of four lakhs and odd, gave in 1892–93 a surplus revenue of 13 lakhs and odd, and a total surplus revenue of 271 lakhs and odd up to 1892–93, after paying interest on the capital account. The net profit after paying interest in 1892–93 is 10·32 per cent. The Kistna Delta likewise tells a similar tale of prosperity. In 1892–93 it brought in a surplus revenue of 9 lakhs and odd, and the total surplus

revenue after paying interest up to 31st March 1893 is 134 lakhs and odd. The net return from this delta in 1892–93 is 8·87. I submit, therefore, that a few thousands more spent on employing graduates of the Civil Engineering College as overseers in place of this class of men is well worth the money spent on them and will tend to remove the stigma that at present attaches to this branch of the department. When other departments of the State have received attention at the hands of Government and have improved in efficiency and integrity by the employment of men of education and training, I may be permitted to observe that this branch of the administration so directly connected with the material prosperity of the people has not received that attention which it deserves. I hope that by the next budget your Lordship's Government may find it possible to place this branch of the department on a more satisfactory basis. Before concluding on this subject, I wish it to be understood that my remarks do not refer to any other class of men in the Department of Public Works. On the contrary, I have no reason whatever to complain of the integrity of the higher officers of the department, whether they are European or Indian Engineers.

I now propose to touch on another branch of the administration, where the exigencies of the service work a real hardship to a class of men, I mean the clerical establishments attached to Taluk offices which practically now remain on the same scale as in 1864, when prices were low and statistical forms and returns were few. It is well known that these clerks work from morning till evening and generally late in the night. The Government itself recognizes how heavy the work is that devolves on this class of men. The scheme for improving these establishments was submitted in 1882, and later on by Mr. Garstin in 1885, and yet during these several years it has not been carried out. The Government has carried out reforms in reorganizing the clerical branch of the Judicial Department. It is trying to effect improvements in the pay and prospects of the Police, Registration and other departments. I may hope, my Lord, that the authorities would find it possible to carry out this necessary reform, if not at once and as a whole, at least gradually and by instalments.

While I advocate increased expenditure under certain heads, I may be permitted to point out certain directions in which economies might be effected. I have not been able to find out why certain recommendations of the Finance Committee with regard to the Original Side of the High Court have not been carried out. The total savings proposed with reference to the abolition of the places of the Registrar and two Assistant Registrars and the appointment of a Deputy Registrar in place thereof, the amalgamation of the offices of the Clerk of the Crown and the Crown Prosecutor, the abolition of the establishment of the Crown Prosecutor, and the reduction of the cost of the Sheriff and his establishment, all amount to a sum of Rs. 32,352 a year. I may be permitted to mention also that there appears to be a double system of supervision in the Salt Department. I may enquire if it is absolutely necessary that there should be both Assistant Commissioners and Deputy Commissioners to look after the work of Inspectors. The annual cost of Assistant Commissioners is about Rs. 86,400, and Deputy Commissioners about Rs. 48,000. To me, as an outsider, the entertainment of both classes of officers appears to be not quite essential, and a reorganization possible. I submit these suggestions with the hope that your Lordship will give them such consideration as they deserve. I have ventured to allude to these possible modes of retrenchment— and there might be others as well—with the hope that when the next budget is placed before the Council, your Lordship's Government may see its way to introduce the reforms I have mentioned.

The Hon'ble Colonel J. Pennycuick, R.E.—I wish to say a few words, my Lord, in reply to the remarks just made about the Irrigation establishment. I may say, speaking

for myself, that I agree with the Hon'ble Subba Rao in almost every word that he said. It is perfectly impossible to make any provision in this year's budget, for you cannot change a whole system at two minutes' notice. The departmental budget is prepared in October, and is finished by the beginning of the year. In order to make a change a good deal of time is required to enquire into matters, and it has to be discussed not only by the officers of the department, but the Government have to be satisfied as to the necessity for the proposed change, and finally the Government of India have to give their sanction. I hope, if the Government are satisfied with the proposals which I intend to make, and can induce the Government of India to adopt the same view, some arrangement may be made in the direction pointed out by the Hon'ble Member.

The Hon'ble A. Sabhapati Mudaliyar.—Referring to the remarks passed by the Hon'ble Subba Rao, I support every word of what he said just now:—With reference to increase of salary for the Taluk establishment, I strongly support his suggestion that effect be given to his recommendation at once by some possible reductions that can be made in other departments. The Taluk establishments get, as we all know, a starving pay, while compensations have been granted to highly-paid officers. Therefore it looks strange, and rather unreasonable on the face of it, that these men who have been working on a small salary should be overlooked, while the claims of highly-paid officers have been recognised. I therefore would strongly urge that some economy may be introduced wherever it is possible and effect be given to the increase of salary in Taluk establishments.

The Hon'ble S. R. Ramasubbaiyar.—My Lord, I am not sure whether it will be possible to find funds in the present budget for improving the condition of the Taluk establishments. I believe this Government is strongly of opinion that the improvement of the Taluk establishments is very necessary and it should be taken in hand before long. It is satisfactory to note that the present year's budget provides funds for four new Deputy Collectors. It is no doubt a welcome fact to us that some more Deputy Collectors will be appointed and the appointment of those Deputy Collectors has evidently become necessary after the passing of the Proprietary Estates Village Service Bill. While it is expedient to have more Deputy Collectors, I submit that it is of far more importance that the Taluk establishments should be improved. Certainly it is far more important than the appointment of Deputy Collectors and of Stationary Magistrates. Of course, when the educated classes press strongly for the appointment of more Deputy Collectors and of Stationary Magistrates, the request is granted; but it is rather curious that, although the necessity for improving the Taluk establishments had been felt several years ago and the Madras Government thought very strongly in favour of improving it, somehow or other these several years have elapsed without anything being done in the matter. Although the revenue has been increasing enormously during the past so many years—the land revenue and other revenues, more especially the salt revenue, which has increased by leaps and bounds—it is very unfortunate that the Taluk establishments should not have been placed on a more satisfactory footing. These establishments are extremely overworked, and not only do they suffer by their being overworked, but I think the public interests also suffer. Almost every paper sent to the Collector is forwarded for report to the Divisional officer, and the Divisional officer forwards it to the Tahsildar, and all the work of collecting information falls on the Taluk establishments. Unless they are greatly strengthened you cannot have accurate statistics. In fact, the taluk establishments form the groundwork of the general revenue administration of the country—that being so, and there can be no two opinions on the matter—it is much to be regretted that for

so many years, though attempts have been made, unfortunately, it has not been found possible to put the Taluk establishments on a satisfactory basis. I expected that in this budget some provision would have been made for their improvement. I admit it is not a small matter to strengthen the establishments to the full extent. To put the whole thing in order will no doubt require a large sum. But if we cannot put the whole thing in order at once and fully, we can at least strengthen the establishments to any small extent that may be within our reach—say by the addition of two or three clerks to each taluk. There is one strong argument why the Taluk establishments should be improved. If they are strengthened, any additional expenditure will be more than repaid in the shape of increased land revenue; and it is on this ground, as well as others, I submit, that the Taluk establishments should be strengthened at least by the addition of two or three clerks. If it is not possible to do anything this year, at all events I hope the very best endeavours will be made for providing in the next budget for the improvement of the Taluk establishments. Many changes which were considered necessary subsequent to the Government having expressed strong opinion in favour of the improvement of Taluk establishments have been brought about—to wit, the appointment of more Deputy Collectors and of Stationary Magistrates, the grant of exchange compensation allowance, &c. Whenever there are powerful interests to represent certain things, improvements in regard to them are brought about immediately. But it is unfortunate that the condition of Taluk establishments has not been taken notice of to the extent it deserves. That is all, my Lord, I have to state on that subject. Although I do not think that the present budget will be altered for improving Taluk establishments, I have thought it my duty to place the above considerations before the Council with the hope that the next year's budget will provide for their improvement.

The next point I have to touch upon is with regard to education. The grant made under the head of education is not sufficient to meet the requirements of the present year. There is a very slight increase no doubt, but it is difficult to say from the budget how much of it will go towards the exchange compensation allowance. I believe very little more is given this year than last year. I know last year the funds at the disposal of the Director of Public Instruction fell quite short of the actual requirements. I shall mention one instance. To the College at Madura, which is maintained by the people of the district, contributions are made by Government. I know for a fact that when contributions had to be made under the rules, the reply of the Director always was that funds were wanting and that he could not help it. Even small contributions, which according to the rules he was bound to give, he had to refuse because he had not sufficient funds at his disposal. Whatever help was in his power to give, he no doubt gave. I would therefore suggest that some increase should be made under the head of education, so that it may be possible for the Director of Public Instruction to meet at all events such demands as the recognized institutions of the Presidency would be entitled to make upon him. Suppose one class has to be divided into two and two teachers have to be employed instead of one. Even in such cases the Director is generally not able to make any contribution.

Then, my Lord, it is matter for congratulation that although we have to pay three lakhs to the Imperial funds and we have to spend a good deal under exchange compensation allowance, still it has been found possible to provide a proper sum of money for minor irrigation works. While we can congratulate ourselves upon the allotment that has been made in regard to minor irrigation works, I must say no provision has been made—no sufficient provision has been made—under the head of

"Roads and communications." I may mention I expected some provision would be made in connection with the Palnai hills ghaut road—the road passing along the hill villages. There is the old ghaut road constructed several years ago. It is left in an incomplete condition; and if a small sum of money is spent upon it, it will, besides bringing in a large sum in the shape of tolls, confer a great boon on many hill villages. I find in the revised estimate for 1893–94 some provision made, but it has been struck out in the estimate of 1894–95. There is another important road, the road from Madura to Travancore, which goes near the site of the Periyár works and further on to Kóttayam and Trevandram. On that road, there were several rivers that had to be bridged. Two bridges have already been built by the Madras Government and three others have to be built; and without the construction of these three bridges, there will be great impediment to traffic. I knew for a fact that at one time the District Board of Madura undertook to build these three bridges, but since then it has not been able to do anything and the matter will, I am afraid, be left as it is unless the Government will kindly step in and offer to build those bridges. I may mention that these three bridges are very important ones, inasmuch as they are on the road used for carrying heavy traffic for the Periyár works. It may be, my Lord, that it is found inconvenient to provide this year, but I put it as a matter for consideration at the time of the next budget. This is the time, my Lord, for us to indicate and state to the Council what our requirements are and I have therefore thought it my duty to place the above facts before the Council.

The Hon'ble the Maharaja of Vizianagram.—With your Excellency's permission I beg to say a few words. I am sorry I have to differ from the three previous speakers. My friend the Hon'ble N. Subba Rao Pantulu said that the details for this budget should be placed before the members. I think that is impossible because it entails more work. Moreover, it will be of no service whatever. On the contrary if he had limited his demands to one particular item or to a particular subject, we could have understood the utility of it. In fact, he expressed himself so vaguely that we do not know whether he includes any particular department.

The second proposal which may seem somewhat plausible at the outset is that the clerical establishment may be given better salaries. That may be a real grievance, but I find that these proposals do not suggest any remedy as is generally the case with the proposals of many of the native or other reformers.

The previous speaker pointed out that the Finance Committee has suggested the saving of some rupees in the High Court and that amounted to an aggregate of Rs. 30,000 a year; but it must be remembered that this will be entirely inadequate for the object in view. For, there are 22 districts and there are no less than 9 taluks on an average in each; and that Rs. 30,000 should be divided amongst them sounds well enough in speech, but when we attempt to carry it in practice I do not think it would be found ancillary to the anticipated improvement. If the Hon'ble Members will limit their enquiries and suggestions, I think it will be more useful and our time will be more usefully occupied. With these remarks I hope that your Lordship and the Hon'ble Members will excuse me for having taken up your time. I trust that, in future, the Council will not be put to the unnecessary trouble of hearing any remarks of this nature which cannot be understood, so that the public may not think that the great blessing given to the members has been turned into interpellating encumbrances.

The Hon'ble Mr. C. S. Crole.—In another place considerable ingenuity has been exercised in defending the position of the Official Member of the Council who was not able conscientiously to support the proposals of the Government. I am glad to say

I have no such scruples here to contend with, because I am happy to say that I support the statement just presented in full. Perhaps, the position of the official member is different elsewhere from what it is in Madras, where I find the Provincial Government has to contend with a financial contract—which is no contract—and he is perhaps more fortunate than the non-official member who wants to know what the budget is before it is prepared. However, two observations have been made and two criticisms—I will not call them attacks— have been made upon this budget, on which, perhaps, I may be able to make some useful observations. The first is in regard to my late department—the Salt and Abkári. It is an easy thing to propose that Assistant Commissioners should be abolished, on the supposition that you can make a saving thereby. In this, I fancy that I hear an echo of a half formed plan of my own and an old idea of my hon'ble friend in charge of the statement. We both have turned our minds to it and we found that it involved no saving worth the name. No doubt the Assistant Commissioner of Salt and Abkári may be from an administrative point of view obstructive and he may cause difficulties in the account branch of the department; but if he were to be abolished the number of Deputy Commissioners will have very much to be increased. It is only by the combination of the Deputy Commissioner and the Assistant Commissioner that we can secure a proper inspecting staff. I have thought it well to make mention of this difficulty in the way of the supposed retrenchment, because having come from the department more newly than the Hon'ble Mr. Bliss, the defence of the system may be more usefully undertaken by myself. The next criticism on the budget is the proposal to increase the expenditure on the taluk staff. I look upon this as an inherent vice. The proper way is not to increase the expenditure but to decrease it. The Government has recently increased expenditure on the taluk staff by giving an increase of pay to Revenue Inspectors—and no body will object to it—and by the establishment of a body of men called Stationary Sub-Magistrates which has incidentally liberated at least two officials for general taluk office work. I for one greatly object to these Stationary Sub-Magistrates, but as an official member I support the scheme officially. The reason for my objection is that it will increase the criminal litigation of the country enormously, and in doing so, it will thereby impose an unrecognized tax of a tremendous nature on the inhabitants of this country. Magisterial cases which used to be decided by the good sense of the village heads, or the Tahsildar or his subordinates, are now increasingly dragged to the Stationary Sub-Magistrates' Courts. That is an increase of expenditure which is bound to bring its own condemnation. Before further expenditure is introduced I think people should consider what further expenditure must mean. Somebody must pay for it; the Government fisc is not a vast depth into which you have only to dive with your hands to bring out rupees. What I say is, it is not an increase of expenditure that is required; that is not the kind of reform that is wanted. What is called for is less of concentration, less of interference and the grant of more individual liberty, more trust in local officers and consequently a vast decrease in correspondence and consequently of labour. If this is fully adopted by Government, I do not think we shall hear any more about increases to taluk establishments. One further point I will mention—I refer to the Irrigation establishment. I agree with what Hon'ble N. Subba Rao has said, because as a travelling officer, my Lord, through that very district of Gódávari I can bear testimony to many complaints regarding the distribution of water in that district.

The Hon'ble the Rev. Dr. W. Miller.—My remarks will be very brief, as I do not intend to enter upon a discussion of the budget at large. It certainly would give me and many more satisfaction if it were possible to give a larger allowance under the

particular head of education for such reasons as have already been assigned by the Hon'ble R. Ramasubbaiyar. I wish to draw attention to the different ways in which the two branches of education at large are treated. I find in the budget a certain increase has been at once made, because it was found necessary for the Rajahmundry Training College. For the particular branch of Government education directly under the management of the department a certain increase was found desirable. Difficulties might be and were raised against adding to the expenditure under the general head of education, but provision, somehow, was at once made for an increased expenditure under this particular head. But as the Hon'ble Ramasubbaiyar has pointed out when an aided college or school finds it absolutely necessary for its well-being that some little increase should be made to its expenditure, it is unfortunately met at once by the dead wall of "no funds." My Lord, I do not in the least object to the increase that has been made on account of the Rajahmundry Training College. From all I know about it, it is a good and useful scheme, and I am very glad that provision should be made for it; but what I have to say is that there are probably twenty schemes as good and as useful as that in the hands of aided managers in every part of the country which are at once checked in the bud because there are no funds and no special provision is made to pay attention to them. Before I sit down, I may direct attention to this question of exchange compensation allowance, which I fear will swallow up any little addition that it may be found possible to make to the provision for education. My Lord, I am quite aware that this is a question more for the Government of India to deal with than for the Provincial Government, but this is the only opportunity on which we have any chance of making our voice heard in the matter. I have no wish to raise the general question here, but I think it is evident from the figures the Hon'ble Mr. Bliss has given us to-day, that the expenditure under that head is going to be a far more formidable thing than was anticipated when it was originally introduced, and I think every effort should be made to see that it is kept within limits and put on the most economical footing. That is all I wish to say. But this question which has been brought up in a small way about how provision is at once made for the development of departmental education when it is found necessary, and how no corresponding provision is made for the development of the other and more important branch of education is, I think, a matter of public concern. It is the policy of the Government of India, adopted and heartily enforced by this Government, that we have henceforth to look for the provision of education to the efforts of private managers mainly, and yet unfortunately it is only to the smallest possible extent that any encouragement is given them.

The Hon'ble Mr. A. T. ARUNDEL.—As the Hon'ble Mr. Crole has expressed some dissent to the suggestion that has been made as to the possible increase to taluk establishment I should like, with your permission, to say that I entirely sympathise with the suggestions that have been put forward by the Hon'ble N. Subba Rao and others. It was intended in Mr. Garstin's scheme that these establishments should be strengthened by increase of salary; and when one recollects that the highest salary given to the head clerk of a taluk is only Rs. 20 and there are only two drawing that salary and others draw only Rs. 15 a month, and that they have extreme responsibility thrown upon them, I think it is only reasonable that, if the Government is in a position to provide funds for this class of public servants, it should be done.

The Hon'ble Mr. C. S. CROLE.—What about the Taluk Head Accountant?

The Hon'ble Mr. A. T. ARUNDEL.—He is the man who was formerly the Taluk Sheristadar, and I am now speaking about the subordinate staff. I do not think I

need trouble the Council with what is generally accepted and believed as to the illegitimate receipts that are obtained by certain of the clerks. No doubt the Hon'ble N. Subba Rao and others will have heard something about it, and if, by raising the status of these men, we can put a stop to this kind of thing and ensure an upright and efficient discharge of their responsible duty, I think it should certainly be done. I entirely agree with Mr. Crole in what he said with regard to the proposal about the abolition of the Assistant Commissioners of Salt and Abkári. I do not think any more need be said about it. I am quite in accord with what Hon'ble N. Subba Rao said with regard to Delta Superintendents. Having been the Collector of one of the two districts he refers to for five years, I think he has undoubtedly put his finger on a serious blot in our administration. I am sure the Council has heard with great pleasure the remarks of the Hon'ble Member in the Public Works Department in regard to this matter.

The Hon'ble N. Subba Rao Pantulu.—Will your Lordship permit me to say a few words in reply to the Hon'ble the Maharaja of Vizianagram.

His Excellency the President.—Yes, if it is an explanation.

The Hon'ble N. Subba Rao Pantulu.—I am sorry the Hon'ble the Maharaja of Vizianagram has not correctly understood me when I spoke of possible retrenchments. I never intended that any money that could be saved thereby should be the only source for improving the efficiency and raising the salary of the clerical establishments. When I went into figures, it struck me that they required an explanation. I therefore put forward some suggestions for your Lordship's consideration.

The Hon'ble Mr. A. Monro.—I should like to make one remark in reply to what Dr. Miller has said. I do not think that the charge of discountenancing private enterprise can be brought against the Government for establishing a Training College at Rajahmundry. Had a private agency come forward, I have not the slightest doubt that the Government would have been very willing to give a grant. No efforts, however, have been made to promote the training of teachers in Northern Circars, and it was necessary for Government to come forward and establish one departmentally. I think, therefore, the charge of discouraging private enterprise can hardly be supported.

The Hon'ble the Rev. Dr. W. Miller.—My Lord, may I explain myself ?

His Excellency the President.—Yes.

The Hon'ble the Rev. Dr. W. Miller.—I made no such charge as the Hon'ble Mr. Monro seems to think I did. I pointed out that, whenever it was found necessary for encouraging departmental education to get an additional grant, it was got ; but when it was found necessary in twenty other cases, which could easily be mentioned, to get an additional grant for non-departmental education, there was no possibility of getting an increase. I am very far from saying anything against the Rajahmundry College and very far from bringing any general charge against the Government of discouraging private education. I only wanted to point out that there was elasticity in the one and inelasticity in the other case.

The Hon'ble S. R. Ramasubbaiyar.—I beg also to say one or two words in explanation. Far from saying that the interests of the Madura College were not met with sympathetically, I wished to point out that if the Director of Public Instruction had been put in possession of more funds, he would not have refused any legitimate request. As far as I know he has been doing his very best to meet the requirements of the Madura College and I am glad to make that statement. Even now I do not

mean to state that the Government are not prepared to view these demands sympathetically. These demands are very important, and if they are not complied with then and there, the progress of the school is obstructed and all its arrangements upset. That is all I wished to point out.

His Excellency the PRESIDENT.—Is any other Hon'ble Member anxious to address the Council? If not, the Hon'ble Mr. Bliss will reply.

The Hon'ble Mr. J. STURROCK.—I shall be glad if Government can give in the matter of taluk establishment the same assurance as has been given by the Hon'ble Colonel Pennycuick in regard to the Irrigation Department. I should have hardly thought it necessary to make this suggestion had it not been for the opposition raised by the Hon'ble Mr. Crole.

The Hon'ble Mr. H. W. BLISS.—The question of the improvement of the taluk establishments has excited much interest among the Members of the Council who have addressed the meeting to-day, and I may therefore at once proceed to deal with it. Hon'ble Members are right in thinking that the Government is strongly of opinion that something should be done to improve the position of the taluk establishments as soon as may be. But I regret I am unable to meet the view of the Hon'ble Mr. Sturrock and give a definite pledge as to when it will be done. In consequence of the many demands that have to be met, it is perfectly impossible to say a year beforehand what will be done in regard to any particular one of them. I think there is one thing which should be pointed out and which has been overlooked in regard to these taluk establishments. That is this: it is now about thirty-five years since the country recovered from the great cataclysm of the mutiny and ever since then it has expanded in all departments at a rate previously unknown. Ever since it has been a continuous task of developing first one department and then another. As far as my memory carries me back, the first department that was developed in this Presidency was the Police—in fact when I say the department was developed I am wrong, I should rather say it was created, because before 1859 there was no police. With that exception—and Hon'ble Members seem to have forgotten the fact—the taluk establishments were the first to be taken in hand; and if we now proceed to reorganize the taluk establishments this will not be the first but the second time. Therefore I think people cannot be well surprised if, among the many schemes which are calling for the attention of Government, those that are brought forward for the first time should have the first claim. Those that are brought forward for the second time have only a second claim. There was Mr. Garstin's scheme that was brought before Government two or three years ago in regard to Revenue Inspectors and Stationary Sub-Magistrates, and the Government has thought it best to give attention to it first. It is obvious that when there are many schemes before Government they cannot all be dealt with together. I do not think it is necessary for me to say anything more on this point. The Hon'ble. N. Subba Rao has dwelt a good deal on the way in which one-fifth of the pay of certain establishments is debited to Law and Justice. Pursuing his investigation more thoroughly into the civil estimates, he will find that not only one-fifth of the pay of taluk establishments, but one-fifth of the pay of Collectors, Sub-Collectors, Head Assistant Collectors, &c., is debited to Law and Justice. I am bound to say, as far as my experience goes, it is a perfectly proper system; and the only doubt I have is whether sufficient weight is thrown upon law and justice and whether a larger droportion than one-fifth of the pay of Collectors and other establishments should not be charged to that head. All I can say is, in old days when I was Assistant

Collector, Head Assistant, Sub-Collector, more than one-fifth of my time was taken up with magisterial work; as Collector, fully one-fifth and more than that, and as Sub-Collector and Assistant Collector, fully half of my time was taken up with magisterial work. Therefore to my mind it would be perfectly just to debit even a larger sum to Law and Justice and a much smaller sum to Land Revenue. The appropriateness of the charge is a matter of opinion, and all I can say is I am sorry I am not able to agree with the Hon'ble N. Subba Rao in thinking that law and justice is unduly weighed. I think the contrary. After all, it is a matter for the Government of India to decide. In regard to the four-fifths of the cost of the hill tracts agency being debited to Law and Justice, the revenue that we get from the hill tracts is practically *nil*, and therefore the question is whether four-fifths of their total cost is sufficient to debit to Law and Justice. Another question raised is whether it would not be possible to supply Hon'ble Members with the details of the departmental budgets before the final budget is made up. I only recently assumed charge of this department and therefore I am unable to say with positive certainty, but I am assured that the whole of these papers were placed at the disposal of the Press, and therefore, as a matter of fact, they are available for the Hon'ble Members to study them. If they are not at present placed at the disposal of the Press, it can only be through an oversight. But I will take care in future that all departmental budgets, after they are passed by departmental heads, are placed at the disposal of the Press. Another question was as to why a certain proposed saving in the Original Side of the High Court has not been carried out. It appears that the Government did propose to make these alterations and the High Court appealed to the Secretary of State and the Secretary of State supported the High Court. That being the case there is no use in enquiring into the matter any further. Another question raised is whether money could not be saved by putting down the dual system of supervision by abolishing Assistant Commissioners in the Salt and Abkári Department. Having had some experience in the department, all I can say is I entirely agree with what has been said by the Hon'ble Mr. Crole and the Hon'ble Mr. Arundel. Another question that has been raised is on the subject of Government grants to roads and communications. The answer to that is that the law provides that the maintenance of roads shall be by Local Fund Boards, and it is not the business of the Provincial Government to maintain roads. There are certain cases where the Provincial Government has to maintain roads, but there is no reason whatever why roads in prosperous districts should be maintained at the expense of the general community. It should be as it is in England and other civilised countries. Roads are acknowledged to be a local liability. Then there is the other question raised as to the road up the Palnai Hills. As to that I am able to state that an officer has been employed to look into the matter and make a proper survey; but as to what will be done after the survey and estimate are received, it is perfectly impossible to say. We must consider the amount of the estimates and many other things that call for attention. If it is found possible to make a road to the hills, we will do it, because it would be useful in many ways. As to the Cumbum road, Government has already spent three lakhs on it, and I think the Local Fund Board might manage to keep it in proper order. I believe now it is improved. With regard to the Hon'ble Mr. Crole's desire for decentralization, I cordially sympathise with him, but, as he is aware, Government has already taken steps in the direction he pointed out. With regard to the question of education, all I can say is we do the best we can, and if hon'ble gentlemen will look at past years, I think they will find that year by year the Education Department has always got a little more. I think I have now touched upon every point that has been raised in the course of this discussion; but if there is

anything else that I can give Hon'ble Members information upon, I shall be very glad to do so.

His Excellency the President.—It only remains for me to close the discussion on the financial statement which has been put forward by the Hon'ble Mr. Bliss, and in doing so I should like to express to the Hon'ble Members my appreciation of the extremely temperate and moderate way in which they have approached the subject. I have to thank them for recognizing the fact that we have cut the budget as fine as we can cut it, and we are hardly in a position to add anything to it or take away anything from it. In fact, we have only just reached absolute equilibrium, and the Hon'ble Members recognizing this have been extremely moderate in urging upon us the particular points to which they wish to have the attention of Government directed. As far as I can judge, their requests have been extremely moderate, and we recognise to the full the necessity for some alteration in the supervision of the deltaic tracts under irrigation in Gódávari and Kistna, and I only hope we may be able to formulate some scheme which may be acceptable to the people that live in that part of the country as well as to the Government of India to whom we shall have to go for sanction. I do not know myself what the financial result of such an arrangement will be, but I do not suppose it will be anything very serious—at all events I hope it will not be so. As regards the other point which has been pressed by a great many of the Hon'ble Members, namely, the increase in taluk establishments, I believe that would naturally entail a certain amount of expense, but it is an expense which the Government fully recognise as necessary and as one which they ought to undertake as soon as they can. Naturally, the Hon'ble Mr. Bliss, who is in charge of the Financial Department, is extremely cautious in making any promises for the future. Anybody who knows anything about the finances of this country must feel how absolutely impossible it is to forecast the future, even for six months. I take it that the financial position of this country depends upon the question of exchange. Should we unhappily see the rupee fall below where it is now, and I fear we may still do so, I dread to think what the position will be, and what sum the Government of India may call upon the Local Government to contribute. Under these circumstances, we can only say that we shall bear in mind most carefully the points brought to our attention, and specially those which have been brought forward to-day, and if it is found possible to meet the wishes of the Hon'ble Members in the direction they point out, we shall be happy to do so. Naturally every Hon'ble Member, or any one connected with education in this country, appeals to Government as far as possible to do something in that very important direction; and naturally the remarks which fell from the Hon'ble and Rev. Dr. Miller fell on the ears of those who thoroughly recognize the importance of this question and recognize fully the knowledge which the Hon'ble Member brings to bear on the subject. If it were possible in this case to extend the provision that we have made in this direction, we shall be glad to do so. But I am afraid, as matters stand at present, we cannot go much further. The Hon'ble and Reverend gentleman has said with some truth, no doubt, that whenever it is the question of providing money for a Government Institution, money is forthcoming. But whenever it is necessary for other institutions, the reply is always unfortunately *non possumus*. As regards that, I quite understand his feeling. But I do not see how Government can do otherwise. He points out a case where Government has advanced money to a particular institution; while in regard to twenty institutions which are equally useful and equally important, the Government have turned a deaf ear. I would ask any reasonable man, if twenty-one people are knocking at the door of Government for relief who is the person that is likely to receive attention from Government first,—Government institutions or

what I may call strangers? Therefore I think of the twenty-one it is only natural that Government should be a little more tender-hearted to its own particular child. But when its child has been fed, I think we may be able to extend our attention to the other twenty. I think we may be then in a position to give the Hon'ble and Reverend gentleman the relief which he is anxious to have. As I said before the Hon'ble Members have been extremely moderate in expressing their wants and wishes as coming from the various districts of the Presidency, and I feel it all the more because I myself cannot but be aware of all the shortcomings which exist at present in a great many of the districts. I hope we may be able to give our attention to the various objects which are very much wanted. I will not go into them now and I should be sorry to prolong the list already given. I regret very much that at the present moment we have not been able to make any provision for the introduction of the Railway police because I believe it is one of the most important requirements of the present day inasmuch as the number of persons who travel by rail and take advantage of this means of locomotion is increasing every day and they require to be protected from a class which exacts tolls from the travelling public. I feel we have not sufficiently strengthened that department, and I think we ought to do so as soon as possible. There are many other points which naturally attract the attention of those responsible for the government of this country, but it is hardly necessary for me to dilate upon them. I will only once more thank the Hon'ble Members for the manner in which they have approached the consideration of the budget and brought the several matters they have noticed to the attention of Government.

The Council then dissolved.

(By order.)

Fort St. George,
30th April 1894.

A. BUTTERWORTH,
Secretary to the Council.

[Annexure

ANNEXURE.

MEMORANDUM TO ACCOMPANY THE FINANCIAL STATEMENT OF THE GOVERNMENT OF MADRAS FOR THE YEAR 1894–95.

The transactions with which this statement deals are those which, under the Provincial contract, have been placed under the control of this Government. Appendix A exhibits in one view the Provincial share of the revenue and expenditure of the several heads of service embraced in the contract, and Appendix B shows the actuals under Provincial funds for 1892–93, the budget and revised estimates for 1893–94, and the budget estimates for 1894–95. The following paragraphs deal in detail with the figures of these three years. Amounts are expressed throughout this statement in lakhs of rupees.

I.—Accounts of 1892–93.

	Budget estimate, 1892–93.	Actuals for 1892–93.
	RS.	RS.
Opening balance	40·27	41·91
Receipts	300·03	302·22
	340·30	344·13
Charges	325·47	318·13
Closing balance ..	14·83	26·00

The year opened with a balance of 41·91, or 1·64 more than the original estimate. The total receipts were 2·19 lakhs better than the estimate, while the charges were less by over 7 lakhs. The deficit of 25·44 budgeted for was thus reduced to 15·91 and the year closed with a balance of 26 lakhs against 14·83 anticipated. The more important variations between the budget estimates and the actuals are explained below :—

RECEIPTS.

Increases.

I. Land Revenue, 1·46.—Due principally to the collection of arrears arising from the postponement of collections in previous years on account of the scarcity, and partly to inter-provincial adjustments on account of the transactions of previous years.

IV. Stamps, 5·73.—The *Stamp* revenue was the highest on record. This was mainly due to the development of trade and to increased litigation.

VIII. Assessed Taxes, ·64.—Due to the more careful assessment of incomes.

X. Registration, ·79.—Largely due to fees realized on searches in registration offices in connection with advances under the Land Improvement and the Agriculturists' Loans Acts.

XVI-B. Law and Justice—Jails, 1·47.—Due to the development of manufacturing operations and increased demand for jail manufactures.

Decreases.

V. Excise, ·72.—Due to the unfavourable character of the season.

IX. Forest, 1·61.—Due to diminished demand for Government timber, firewood and other minor produce, as well as to the unfavourable season.

Contributions, 7·31.—Credit was taken in the original estimate for a large contribution from the Tanjore District Board which bears half the cost of the construction of the Máyavaram-Muttupet Railway, but the progress of the work was slow and a moiety only of the actual expenditure of the previous year was recovered.

CHARGES.

Increases.

3. *Land Revenue*, 2·25.—More officers took privilege leave and fewer took furlough than was expected. The expenditure under *Supplies and Services* was increased by the fees paid for searches in registration offices in connection with the advances made under the Land Improvement and Agriculturists' Loans Acts above-mentioned under X and by the remuneration paid to copyists on the introduction of copy stamped papers in Revenue offices.

6. *Stamps*, ·49.—Mainly due to excess expenditure on account of stamp paper supplied from the central stores.

19-A. *Law and Justice—Courts of Law*, 1·12.—Larger savings were expected, when the estimates were framed, from the absence on furlough of senior officers. The saving in the provision for re-grading and increasing the number of munsifs also fell below expectation, and no provision was made on account of the Madras City Civil Court which was opened after the budget was framed. Moreover, two temporary Sub-Judges were appointed in Vizagapatam and in Tinnevelly for 12 and 6 months, respectively, and the charges for *Diet and Road money to witnesses* and for *Process establishments* and *Contingencies* were higher than was expected.

19-B. *Law and Justice—Jails*, 1·30.—Mostly due to the development of jail manufactures. The expenditure on rations was also larger on account of the increase in the jail population in consequence of the distress which prevailed.

24. *Medical*, 1·02.—Due to additional expenditure, under an order issued in 1891, on account of the pay and travelling allowances of reserve medical subordinates sent temporarily to relieve subordinates attached to Local Fund and Municipal dispensaries; to the cost of Europe stores not provided for in the estimates; to revision of establishments; to increased cost of medicines supplied by the Military department, and to increased charges for diet, &c., consequent on a rise in the number of patients treated in the Presidency hospitals.

43. *Minor Works and Navigation*, 1·82.—The grant was increased by 2 lakhs to meet charges incurred on relief works.

Contributions, 6·74.—Unforeseen grants had to be made to District Boards for famine relief purposes.

Decreases.

5. *Salt*, 1·08.—Some appointments in the higher grades were not filled up. There was also a saving under *Salt purchase and freight*, due partly to the non-opening of some proposed new factories and extensions, and partly to the outturn in several of the Government factories having been smaller than was expected.

11. *Forest*, 1·43.—Due chiefly to the non-execution of works from the want of adequate establishments to supervise them and to the non-introduction of the new scale of establishments for which provision had been made.

20. *Police*, 1·00.—Provision was made for the reorganization of the Railway police. The revised scheme was not however finally settled in time for its introduction within the year.

29. *Superannuation Allowances and Pensions*, ·92.—The excess of new pensions over lapses was not as large as was expected and the grant was not therefore fully utilized.

33. *Famine Relief*, 7·56.—The necessity for carrying out relief operations ceased in the early part of the year. The figures under this head do not however represent the whole of the famine charges debited to *Provincial*, as contributions to

Local funds to cover deficits caused by outlay on relief purposes are separately shown. The charges here given are those disbursed by Provincial officers for special establishments entertained during the famine, and for gratuitous relief. They also include the special Public Works charges for works and establishments which were in excess of normal charges as a result of famine, and other Public Works charges specially authorised to be debited to this head.

37. *Construction of Railways*, 6·33.—A very large expenditure on the construction of the Máyavaram-Muttupet Railway was originally anticipated, but the South Indian Railway Company allowed over one-third of the grant to lapse.

45. *Civil Works*, 3·92. — A large portion of the grants to Municipalities, provided for in the budget, was not disbursed owing to the financial and other arrangements to be made by the Councils not being complete.

II.—Revised Estimate for 1893-94.

The budget and revised estimates for 1893-94 are compared below :—

Receipts.				Number of head of account.	Heads.	Number of head of account.	Expenditure.			
Budget estimate.	Revised estimate.	More.	Less.				Budget estimate.	Revised estimate.	More.	Less.
..	..	..	..	..	Refunds and Drawbacks ..	1	1·10	1·39	·29	..
158·95	161·12	2·17	..	I	Land Revenue	3	49·67	51·27	1·60	..
1·65	1·39	..	·26	III	Salt	5	6·27	5·66	..	·61
53·25	56·25	3·00	..	IV	Stamps	6	1·95	2·60	·65	..
30·75	32·00	1·25	..	V	Excise	7	1·65	1·49	..	·16
·44	·44	..	..	VII	Customs	9	1·72	1·80	·08	..
8·75	10·13	1·38	..	VIII	Assessed Taxes	10	·10	·10	..	..
9·50	9·50	..	..	IX	Forest	11	8·12	6·72	..	1·40
6·75	6·15	..	·60	X	Registration	12	4·05	3·75	..	·30
1·59	1·61	·02	..	XII	Interest	13	2·00	1·82	..	·18
..	..	..	..	XIII	Post Office	15	·80	·82	·02	..
..	..	..	..	..	General Administration ..	18	9·48	9·99	·51	..
6·95	7·20	·25	..	XVI-A	Law and Justice—Courts of Law.	19-A	45·00	45·50	·50	..
3·00	3·50	·50	..	XVI-B	Law and Justice—Jails ..	19-B	9·35	10·31	·96	..
4·38	5·05	·67	..	XVII	Police	20	43·59	42·98	..	·61
·01	..	..	·01	XVIII	Marine	21	·50	1·15	·65	..
1·55	1·68	·13	..	XIX	Education	22	16·15	16·40	·25	..
·85	·87	·02	..	XX	Medical	24	11·80	12·73	·93	..
..	..	..	..	..	Political	25	·77	·81	·04	..
2·18	1·80	..	·38	XXI	Scientific and other Minor Departments.	26	4·07	4·16	·09	..
·33	·35	·02	..	XXII	Superannuation Allowances and Pensions.	29	13·81	13·68	..	·13
1·11	1·19	·08	..	XXIII	Stationery and Printing ..	30	7·50	7·81	·31	..
1·44	1·46	·02	..	XXV	Miscellaneous	32	1·36	1·44	·08	..
..	..	..	..	..	Famine Relief	33	3·00	·03	..	2·97
..	..	..	..	XXVI	State Railways. { Construction of Railways ..	37	6·75	6·64	..	·11
					State Railways. { Miscellaneous Railways	41	..	·11	·11	..
1·55	1·77	·22	..	XXX	Minor Works and Navigation ..	43	32·00	31·50	..	·50
2·00	1·66	..	·34	XXXII	Civil Works	45	29·01	26·50	..	2·51
9·63	7·16	..	2·47	..	Contributions	..	2·34	2·67	·33	..
306·61	312·28	5·67	..	..	.. .. Total	..	313·91	311·83	..	2·08
24·30	26·00	1·70	..	Opening.	.. .. Balance	Closing.	17·00	26·45	9·45	..

Larger receipts are expected under all heads except *Salt, Customs, Forest, Registration, Marine, Scientific and other Minor Departments, Civil Works* and *Contributions.* The decrease under the last named is the only one of importance. It is due to the postponement to next year of the recovery of part of the contribution due by the Tanjore District Board on account of the Máyavaram-Muttupet Railway.

The more important expected increases are—

Land Revenue	2·17	Due to the more favorable season.
Excise	1·25	Due to the more favorable season.
Stamps	3·00	Chiefly due to increased sale of Court-fee stamps.
Assessed taxes	1·38	Due to better work on the part of the assessing officers.
Law and Justice—Jails ..	·50	Due to improved jail manufactures.
Police	·67	Expected partly from fines on stray cattle and sales of forfeited cattle, and partly from miscellaneous receipts due to the return to the arsenal of a large number of arms and accoutrements which have been replaced by others of a different description.

On the expenditure side the most noticeable excesses are under *Land Revenue, Stamps, General Administration, Law and Justice—Courts of Law, Jails, Marine* and *Medical.* The estimate under *Land Revenue* has been raised mainly with reference to the actuals of 1892–93 and of the earlier months of the current year, and includes provision for four additional Deputy Collectors and for the retention for a longer period than was anticipated of the temporary establishment entertained for the survey and demarcation of lands under the Rushikulya canal. Exchange compensation allowance also contributes to raise the expenditure under this and other heads. The increase under *Stamps* is mainly due to the anticipation that there will be a larger demand for the supply of stamp paper from the central stores. With the rise in the receipts there is also a corresponding rise in the charges on account of discount on sale of stamps and copy stamped paper. Provision for exchange compensation allowance and for officers on privilege leave accounts for the excess under *General Administration.* The charges under *Law and Justice—Courts of Law* have been swelled by the exchange compensation allowance. The estimate under *Jails* has been raised chiefly on account of the development of manufacturing operations. A grant of ·70 towards the cost of the Pamban dredger is the principal cause of the rise in the charges under *Marine.* The increase under *Medical* occurs chiefly under *Medical establishment* and *Medical School and College.* The charges under the former fluctuate according to the number of officers on leave out of India or on Military duty. The excess under the latter is due to a great extent to the extra cost involved by the grant of privilege leave.

On the other hand, considerable savings are anticipated under *Salt, Forest, Police, Famine Relief* and *Civil Works.* The decrease under *Salt* is due to the small outturn of Government salt in the factories on the Chilka lake and of the Chatrapur and Chicacole subdivisions on account of the unfavourable character of the current manufacturing season. The large saving under *Forest* will result chiefly from the scheme for the revision of the subordinate forest staff not having been sanctioned. The postponement of the introduction of the scheme for the reorganization of the district police is the chief cause of the savings under *Police.* The improvement in the season has rendered unnecessary the anticipated expenditure under *Famine Relief.* The estimate under *Civil Works* has been reduced as grants to municipalities

are not required to the extent originally budgeted for, and as nearly a lakh and a half has been surrendered by the Public Works Department. The surrender includes the allotment for a new women and children's hospital, which has for the present been abandoned in view of other arrangements still under consideration, and the transfer to the Educational Department of the grant for the machinery for the College of Engineering.

Comparing the total receipts and charges of the current year according to the revised estimates with the original budget figures, the receipts are better by 5·67 and the charges show a saving of 2·08, thus converting the deficit of 7·30 originally anticipated into a surplus of ·45. The opening balance having been 1·70 more, the closing balance will be raised by 9·45, and now stands at 26·45 against 17 lakhs in the budget.

III.—Budget Estimate for 1894-95.

The ensuing year is expected to open with a balance of 26·45 lakhs. The receipts are estimated at 310·05 and the charges at 316·50, leaving a closing balance of 20·00. The following statement shows the general result as compared with the budget and revised estimates for the current year:—

—	1893-94.		1894-95.	More than 1893-94.		Less than 1893-94.	
	Budget.	Revised.		Budget.	Revised.	Budget.	Revised.
Opening balance	24·30	26·00	26·45	2·15	·45	..	..
Revenue	306·61	312·28	310·05	3·44	..	..	2·23
Expenditure	313·91	311·83	316·50	2·59	4·67	..	..
Surplus + or Deficit —	— 7·30	+ ·45	— 6·45	..	6·90	·85	..
Closing balance	17·00	26·45	20·00	3·00	..	..	6·45

The more important heads of revenue and expenditure, in the order shown in the statement in section II above, will now be compared with the actuals of the last three years and the budget and revised estimates for 1893-94.

Refunds and Drawbacks—1.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Expenditure	1·07	1·30	1·25	1·10	1·39	1·20

This is a head of expenditure only. Provincial funds are debited with a share of the amounts refunded under the various heads of receipt, corresponding to their share of revenue under those heads as shown in Appendix A. The items are of a fluctuating character and call for no remarks.

I.—Land Revenue—3.

—	Actuals.			1893–94.		1894–95.
	1890–91.	1891–92.	1892–93.	Budget.	Revised.	Budget.
Revenue—						
Provincial share	118·53	108·04	126·25	126·41	128·63	128·65
Adjustments	21·93	41·47	33·08	32·54	32·49	28·68
Total ..	140·46	149·51	159·33	158·95	161·12	157·33
Expenditure—						
Charges of District Administration	36·11	38·99	40·77	39·18	40·29	41·12
Charges on account of Fishery Collections ..	·08	·04	·03	·06	·02	·06
Survey and Settlement	9·04	8·99	9·10	9·47	10·12	9·74
Land Records and Agriculture	·47	·59	·71	·80	·70	·83
Inam Commissioner	·09	·09	·15	·16	·14	·08
Total ..	45·79	48·70	50·76	49·67	51·27	51·83

The first item, which represents the Provincial share or a fourth of the total land revenue, shows a gradual improvement, except in 1891–92 when the revenues were affected by the prevailing scarcity. The *adjustments* since 1892–93 differ from those in the previous years and are in accordance with the settlement under the existing contract. A special contribution of three lakhs which this Government has recently been required to make in order to relieve the Imperial exchequer has reduced the amount shown against *adjustments* in the budget for 1894–95.

The expenditure under this head as estimated for the ensuing year shows an excess of over two lakhs as compared with the budget for the current year. The excess occurs chiefly in the charges on account of *District Administration*, and is due to exchange compensation allowance, to the addition of four to the number of Deputy Collectors and to the raising, with reference to past actuals, of the provision under *Allowances, Supplies and Services, Postal* and *Subdivisional Establishment.*

III.—Salt—5.

—	Actuals.			1893–94.		1894–95.
	1890–91.	1891–92.	1892–93.	Budget.	Revised.	Budget.
Revenue—						
Rents of Warehouses	..	..	..	..	..	..
Fees and Cesses	1·84	·79	1·42	1·41	1·15	1·45
Fines and Forfeitures	·02	·07	·02	·02	·02	·02
Miscellaneous	·23	·32	·25	·22	·22	·20
Total ..	2·09	1·18	1·69	1·65	1·39	1·67
Expenditure	·47	·83	5·13	6·27	5·66	6·48

The receipts credited to Provincial under this head are those shown against the four minor items entered above. The variations are inconsiderable.

The Provincial expenditure shown above for 1890–91 and 1891–92 represents the charges on account of works constructed for licensees. From 1892–93, the year in which the present contract commenced, one-fourth of all other charges has

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in addition been borne by Provincial funds. As the establishments required for Salt and Excise work are in most places the same, these charges have in the present contract been made Provincial to the same extent as Excise, *i.e.*, one-fourth. The cost of the combined establishment is divided between the two heads (*Salt* and *Excise*) in the proportion of three to one, and the shares of each are again divided between Imperial and Provincial in the same proportion. Provision is made in the budget for the promotion of officers, some of the appointments in the higher grades of the sanctioned scale not having yet been filled up, and for additional establishments likely to be required in connection with the contemplated opening of a new salt factory and with the probable extensions of the tree-tax system of collecting the toddy revenue, the cost of all which is divided between Imperial and Provincial as above explained.

IV.—*Stamps*—6.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Revenue	48·43	50·61	55·23	53·25	56·25	56·25
Expenditure	1·23	1·28	2·38	1·95	2·60	2·59

The budget figures represent the Provincial share, or three-fourths, of the total receipts and charges under this head and follow those of the revised estimate.

V.—*Excise*—7.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Revenue	29·99	30·35	30·28	30·75	32·00	32·25
Expenditure	1·18	1·40	1·44	1·65	1·49	1·65

One-fourth of the receipts and charges under this head is credited and debited respectively to Provincial. A considerable increase has occurred in the collections during the current year, and on the assumption that the favourable season will continue the estimate of receipts for 1894-95 has been raised.

VII.—*Customs*—9.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Revenue	·33	·35	·54	·44	·44	·41
Expenditure	1·56	1·58	1·68	1·72	1·80	1·78

All the important items of receipt under this head fall under Imperial, only the minor heads "*Warehouse and Wharf rents*" and "*Miscellaneous*" being Provincial. The latter is debited with the whole of the charges. The figures shown above call however for no remarks. Some increase of the Customs' establishments will be required in consequence of the additional work which will be caused by the collection of import duties under the new Tariff Act, but it has been ascertained that the additional cost thence arising will be met by Imperial.

VIII.—Assessed Taxes—10.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Revenue	8·21	8·68	9·27	8·75	10·13	10·13
Expenditure	·08	·08	·09	·10	·10	·11

Imperial and Provincial funds share the receipts and charges under this head in equal proportions. The figures of the budget follow those of the revised estimate.

IX.—Forest—11.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Revenue	17·95	16·94	7·89	9·50	9·50	9·00
Expenditure	12·39	13·13	6·61	8·12	6·72	7·72

The revenue and expenditure under this head, which prior to the existing Contract were wholly Provincial, are now equally divided between Imperial and Provincial. The decrease anticipated in the Forest receipts for the ensuing year is due to orders restricting the credit to this head to the revenue derived from the produce of areas directly under the control of the department. In former years a good deal of revenue properly classed under Land Revenue was credited to Forests. This error has now been corrected.

The estimate of expenditure originally included provision for the revision of the subordinate establishment which has since been struck out owing to the financial pressure. The revenue at present is largely influenced by the inadequacy of the district staff.

X.—Registration—12.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Revenue	5·42	6·17	6·59	6·75	6·15	6·60
Expenditure	3·38	3·55	3·70	4·05	3·75	4·16

The revenue and expenditure under *Registration* are equally divided between Imperial and Provincial. The usual increase in the receipts of the department is estimated for.

In the budget estimate of expenditure for 1894–95 provision is again made, as in the current year, for revising the clerical staff, for regrading the registrars and sub-registrars, and for opening new sub-registrars' offices.

XII.—Interest—13.

—	Actuals.			1893–94.		1894–95.
	1890–91.	1891–92.	1892–93.	Budget.	Revised.	Budget.
Revenue	·43	·44	·85	1·59	1·61	2·19
Expenditure	·37	·69	1·42	2·00	1·82	1·89

The interest paid to the Government of India on sums from time to time placed at the disposal of this Government for making advances and loans to cultivators, land-holders and notabilities, and to municipalities and other public corporations, is shown as expenditure under this head. The rate is fixed at 4 per cent. per annum on the mean between the outstanding balances at the commencement and at the close of each year. On the other hand, the full amount of interest received by this Government on these loans and advances and on Government securities is credited as receipts. The rate of interest is left to the discretion of Local Governments in all cases which may not be specially provided for by rule or order requiring the sanction of the Government of India. The Provincial advance and loan account itself is not included in the terms of the Provincial contract. The sums placed at the disposal of the Local Government for loans and advances are in addition to the contract assignment and are fixed annually on a consideration of the available resources of the Government of India and of the demands upon them. Local Governments are also free to utilize any repayments of loans and advances during the currency of the year in making fresh loans and advances. Both revenue and expenditure under this head continue to advance, year by year, with the increase in the outstanding amount of the loans made by Government to the persons and corporations above mentioned.

XIII.—Post Office—15.

—	Actuals.			1893–94.		1894–95.
	1890–91.	1891–92.	1892–93.	Budget.	Revised.	Budget.
Revenue	..	..	·01	..	..	..
Expenditure	·96	·90	·79	·80	·82	·85

As a rule, there is no revenue under this head. The expenditure represents the cost of the District Post establishment maintained chiefly for administrative purposes in localities to which the Imperial Post has not yet been extended.

General Administration—18.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Expenditure	9·86	10·07	10·02	9·48	9·99	9·92

There are no receipts under this head which is one of expenditure only. It is entirely Provincial with the exception of the Account and Currency departments, the Reserve Treasury and the allowance to the Presidency Bank, which are Imperial charges. The Provincial charges are on account of the salary and establishment of His Excellency the Governor, Members of Council, Civil and Military Secretariats, Board of Revenue, and an account establishment maintained for the audit of local and municipal and forest accounts. The charges on account of exchange compensation have raised the estimates.

XVI-A.—Law and Justice—Courts of Law—19-*A*.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Revenue	5·65	6·57	6·63	6·95	7·20	7·21
Expenditure	41·85	43·04	44·88	45·00	45·50	46·26

Both receipts and charges under this head are wholly Provincial. Magisterial fines alone form over three-fourths of the total receipts under this head. The expenditure represents the entire cost of the Judicial establishments. As in the case of the charges under *Land Revenue*, provision on account of exchange compensation allowance has raised the estimate for 1894-95.

XVI-B.—Law and Justice—Jails—19-*B*.

—	Actuals.			1893-94.		1894-95
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Revenue	2·03	2·58	3·60	3·00	3·50	3·62
Expenditure	8·39	9·76	10·30	9·35	10·31	10·31

This is also an entirely Provincial head. The receipts include payments from other departments for the hire of convicts, and certain miscellaneous items; but jail manufactures contribute the largest share. The development of manufacturing operations has, on the other hand, increased the charges. The increase in the cost of rations owing to the high prices of recent years and the exchange compensation allowance have also added to the estimate.

XVII.—Police—20.

—	Actuals.			1893–94.		1894–95.
	1890–91.	1891–92.	1892–93.	Budget.	Revised.	Budget.
Revenue	4·20	4·27	4·64	4·38	5·05	4·60
Expenditure	39·94	41·61	42·21	43·59	42·98	44·53

This is wholly Provincial. Fines on stray cattle constitute the bulk of the receipts.

The expenditure includes provision for the introduction of the scheme for the reorganization of the District Police. Exchange compensation allowance has here again enhanced the charges.

XVIII.—Marine—21.

—	Actuals.			1893–94.		1894–95.
	1890–91.	1891–92.	1892–93.	Budget.	Revised.	Budget.
Revenue	..	·04	..	·01	..	·01
Expenditure	·36	1·50	1·09	·50	1·15	·33

This is also a Provincial head. The charges provide for the maintenance of the pearl-fishery vessels recently built, for the Agent for Government Consignments and his establishment and for grants to Port funds.

XIX.—Education—22.

—	Actuals.			1893–94.		1894–95.
	1890–91.	1891–92.	1892–93.	Budget.	Revised.	Budget.
Revenue	1·35	1·33	1·58	1·55	1·68	1·67
Expenditure	14·02	14·54	15·54	16·15	16·40	16·61

Education is also wholly Provincial. The receipts are mainly made up of fees from Government colleges and schools, in which an increase is expected. The expenditure includes the whole of the charges on account of direction, inspection, Government colleges and schools, grants-in-aid and scholarships. The increase in the budget is due mainly to provision for the Rajahmundry training college and to the exchange compensation allowance.

XX.—Medical—24.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Revenue	·73	·80	·85	·85	·87	·95
Expenditure	10·73	11·57	12·22	11·80	12·73	12·87

This is another head which is wholly Provincial. The receipts consist mainly of medical college fees, hospital and lunatic asylum receipts and contributions. The expenditure includes charges on account of the medical establishment, hospitals and dispensaries, sanitary and vaccination departments, grants for medical purposes, medical college, lunatic asylum and Chemical Examiner. The appointment of an additional medical officer in the General Hospital and promotions to superior grades and the rise in the price of commodities have necessitated increased provision in the budget. The greater portion of the increase as compared with the budget of previous years is, however, due to exchange compensation allowance.

Political—25.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Expenditure	·84	·70	·91	·77	·81	·83

This is a head of expenditure only and includes charges in connection with the Resident in Travancore and Cochin and other Political Agencies.

XXI.—*Scientific and other Minor Departments*—26.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Revenue	1·75	1·89	1·88	2·18	1·80	1·95
Expenditure	3·84	3·51	3·72	4·07	4·16	4·21

The receipts under this head are entirely Provincial, examination fees and receipts from cinchona plantations being the chief items of revenue. An anticipated falling off in the latter has principally caused the decrease in the receipts.

The expenditure is entirely Provincial with the exception of the salaries and allowances of officers on the cadre of the Civil Veterinary department and of census charges. Provision for more extended pony-breeding operations as well as for exchange compensation allowance accounts for the increase in the budget.

XXII.—*Superannuation Allowances and Pensions*—29.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Revenue	·33	·33	·32	·33	·35	·33
Expenditure	13·39	13·17	13·58	13·81	13·68	13·91

Only the minor heads *Contributions for Pensions and Gratuities* and *Miscellaneous* are Provincial. The contributions are from officers lent to foreign service. The charges comprise superannuation and retired allowances, compassionate allowances and gratuities.

XXIII.—*Stationery and Printing*—30.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Revenue	·85	·91	1·07	1·11	1·19	1·06
Expenditure	7·49	7·53	7·48	7·50	7·81	7·91

The whole of the receipts under this head are Provincial except those for the value of supplies from the central stores to railways and to local funds, municipalities and other independent bodies. All expenditure, except stationery purchased for the central stores, is charged to Provincial. The rise in the estimate is mainly caused by provision under *Government Presses* for increased salary to the Superintendent, Government Press, and larger allotments for supplies and services and contingencies; and under *Printing at Private Presses* for a large number of settlement registers expected to require printing on the completion of the settlement work in the Bellary and Tanjore districts.

XXV.—*Miscellaneous*—32.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Revenue	1·48	1·50	1·48	1·44	1·46	1·48
Expenditure	1·29	1·52	1·41	1·36	1·44	1·48

This is a mixed head, certain sub-heads being Provincial and others Imperial as shown in Appendix A. The most important items of receipt under Provincial are unclaimed deposits, Fees for Government audits, Contribution from the Madras Municipality for general purposes, recoveries from municipalities on account of the cost of

local fund controlling establishments in the Chief Secretariat and in the Accountant-General's office, and miscellaneous fees, fines and forfeitures. The charges include a variety of items, of which Donations for charitable purposes and Rewards for the destruction of wild animals are the largest. Both receipts and charges are of a fluctuating character.

Famine Relief—33.

—	Actuals.			1893–94.		1894–95.
	1890–91.	1891–92.	1892–93.	Budget.	Revised.	Budget.
Expenditure	·24	1·57	2·44	3·00	·03	..

The whole of the charges under this head are debited to Provincial. As stated above, with the improvement in the season the current year's grant has been scarcely touched.

Construction of Railways—37.

—	Actuals.			1893–94.		1894–95.
	1890–91.	1891–92.	1892–93.	Budget.	Revised.	Budget.
Expenditure	2·86	4·27	9·19	6·75	6·64	1·75

The charges under this head represent the cost of the construction of the Máyavaram-Muttupet Railway which is borne in equal shares by the Tanjore District Board and Provincial funds. The reduction in the estimate for next year is due to the approaching completion of the line.

XXVI.—State Railways—38.

—	Actuals.			1893–94.		1894–95.
	1890–91.	1891–92.	1892–93.	Budget.	Revised.	Budget.
Revenue	..	..	..	..	..	2·25
Expenditure	..	..	..	..	..	1·52

As the railway referred to under the previous head will be opened for traffic in the ensuing year, provision is made for anticipated gross traffic receipts and for working expenses. The net profits will be shared, as the cost of construction has been, in equal proportions between *Provincial* and *Local*.

Miscellaneous Railways—41.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Expenditure	1·75	·36	..	..	·11	..

Charges on account of Railway surveys are shown as expenditure under this head.

XXX.—Minor Works and Navigation—43.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Revenue	1·39	1·61	1·60	1·55	1·77	1·67
Expenditure	35·46	39·99	33·32	32·00	31·50	33·25

This head is wholly Provincial. A larger grant has been assigned for expenditure in the ensuing year. Transactions connected with works in charge of the Revenue Department have recently been transferred from the Public Works to Civil Accounts.

XXXII.—Civil Works—45.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Revenue	1·29	1·62	1·35	2·00	1·66	1·33
Expenditure	26·21	31·38	25·38	29·01	26·50	27·62

The receipts under this head are wholly Provincial and include tolls, ferry receipts, rents, sales of lands, houses, produce and old materials, cemetery receipts and contributions. The charges are all Provincial except those connected with Post Office and Telegraph buildings, and include Civil Agency works and grants for municipal drainage and water-supply works. The standing division of the expenditure by the Public Works Department is (1) Civil Buildings, (2) Communications, (3) Miscellaneous Public Improvements, (4) Establishment and (5) Tools and Plant, each of the first three heads being again divided into (*a*) Original Works, (*b*) Repairs. An abstract of the details of the expenditure under this and the previous head is given in Appendix C.

Contributions.

—	Actuals.			1893-94.		1894-95.
	1890-91.	1891-92.	1892-93.	Budget.	Revised.	Budget.
Revenue	1·91	3·52	5·54	9·63	7·16	6·10
Expenditure	2·95	5·77	9·09	2·34	2·67	2·93

The receipts under this head include contributions from local funds for education and medical purposes, local fund audit clerks, controlling and account establishments, printing work done by Government, repayment of the local fund share of the expenditure on the Máyavaram-Muttupet Railway, a third of the tolls collected on the Kullar-Ootacamund road and the net receipts from the tolls on the Calicut-Vayitri road, which are both in charge of the Public Works Department, as well as repayments on account of contributions made to cover deficits. The expenditure embraces sums contributed to local boards for educational grants-in-aid, public works, sanitary and general purposes and for covering deficits.

Incorporated Local and Special Funds.

Appendix D shows in abstract the accounts and estimates of the Incorporated Local and Special funds for the past, current and ensuing years. The *Special Funds* comprise the *Village Service*, the *Irrigation Cess* and the *Bhadráchalam Road funds.* The great decline in the receipts for the year 1893–94 under *Special Funds* is due to the suspension of the collection of the village cess in certain areas and to changes introduced in connection with the new Village Cess Act. Local funds under Act V of 1884 are not directly controlled by Government. The administration report published annually gives in detail the working of the several local boards, their revenue and expenditure.

March 26th, 1894. H. W. BLISS.

APPEN

STATEMENTS SHOWING THE DIVISION BETWEEN IMPERIAL AND PROVINCIAL OF THE REVENUE AND

REVENUE.

1 Major head.	2 Minor heads.	3 Provincial share.
I.—Land Revenue	All	One-fourth.*
III.—Salt	"Rents of Warehouses" .. .. "Fees and Cesses" .. .. .. "Fines and Forfeitures" .. .. "Miscellaneous"	The whole. Items classified as Provincial in 1891-92.
IV.—Stamps	All	Three-fourths.
V.—Excise	All	One-fourth.
VII.—Customs	"Warehouse and Wharf rents" .. "Miscellaneous"	The whole.
VIII.—Assessed Taxes	All	One-half.
IX.—Forest	All	One-half.
X.—Registration	All	One-half.
XII.—Interest	"Interest on loans to municipalities and other public bodies (excluding Presidency Corporation)." "Interest on loans to landholders and other notabilities." "Interest on advances to cultivators." "Interest on Government Securities."	The whole.
XIII.—Post Office	"District Post Collections"	The whole.
XVIA.—Law and Justice—Courts of Law.	All	The whole.
XVIB.—Law and Justice—Jails.	All	The whole.
XVII.—Police	All	The whole.
XVIII.—Marine	All	The whole.
XIX.—Education	All	The whole.
XX.—Medical	All	The whole.
XXI.—Scientific and other Minor Departments.	All	The whole.
XXII.—Receipts in aid of superannuation, retired and compassionate allowances.	"Contributions for pensions and gratuities." "Miscellaneous"	The whole, except items treated as Imperial in 1891-92. The whole.
XXIII.—Stationery and Printing.	All	The whole, except receipts for the value of supplies from Central Stores to Railways, and to Local Funds, Municipalities, and other independent bodies.
XXV.—Miscellaneous	"Extraordinary items" .. .. "Pearl Fishery receipts" .. .. All other minor heads, except— "Gain by Exchange," "Premia on Bills," "Unclaimed Bills of Exchange," and "Recovery of Insurance and other charges on English stores."	Items not in excess of Rs. 10,000. One-half. The whole.
XXVI.—State Railways	Máyavaram-Mutupet Railway	The whole.
XXX.—Minor Works and Navigation.	All	The whole.
XXXII.—Civil Works	All	The whole.
Contributions	Contribution from Local	The whole.

* The Provincial share is calculated on the gross collection including the portion due to Irrigation.

DIX A.

EXPENDITURE UNDER THE SEVERAL HEADS OF SERVICE INCLUDED IN THE PROVINCIAL CONTRACT.

Expenditure.		
4	5	6
Major head.	Minor heads.	Provincial share.
1.—Refunds	The heads of which the corresponding receipts are wholly or partially Provincial.	The same share as in the case of the corresponding heads of receipt.
3.—Land Revenue	All	The whole.
5.—Salt	" Works constructed for Licensees " ..	The whole.
	All other minor heads	One-fourth.
6.—Stamps	All	Three-fourths.
7.—Excise	All	One-fourth.
9.—Customs	All	The whole.
10.—Assessed taxes	All	One-half.
11.—Forest	All	One-half.
12.—Registration	All	One-half.
13.—Interest	" Interest on Provincial Advance and Loan Accounts."	The whole.
15.—Post Office	" District Post Establishments " ..	The whole.
	" Refunds "	The whole.
18.—General Administration	" Civil offices of Account and Audit "..	The charges of the Inspector of Local Fund Accounts and his Establishment.
	All other minor heads except " Currency Department," " Reserve Treasury" and " Allowance to Presidency Bank."	The whole.
19A.—Law and Justice—Courts of Law.	All	The whole.
19B.—Law and Justice—Jails ..	All	The whole.
20.—Police	All	The whole.
21.—Marine	All	The whole.
22.—Education	All	The whole.
24.—Medical	All	The whole.
25.—Political	All except— " Refugees and State Prisoners " and " Miscellaneous."	The whole.
....		
26.—Scientific and other Minor Departments.	" Veterinary charges "	The whole, except the salaries and allowances of officers on the cadre of the Civil Veterinary Department.
	All other minor heads except " Census."	The whole.
29.—Superannuation Allowances and Pensions.	" Superannuation and Retired Allowances." " Covenanted Civil Service Pensions." " Compassionate Allowances." " Gratuities." " Refunds."	The whole.
30.—Stationery and Printing ..	All except " Stationery purchased for Central Stores."	The whole.
32.—Miscellaneous ..	" Extraordinary items "	Items not in excess of Rs. 10,000.
	" Charges on account of Pearl Fishery."	One-half.
	All other minor heads, except— " Charges for Remittance of Treasure," " Discount on Bills," and " Loss by Exchange."	The whole.
33.—Famine Relief	" Famine Relief Charges "	The whole.
38.—State Railways	Máyavaram-Mutupet Railway	The whole.
37.—Construction of Railways ..	All	The whole, except in cases in which the outlay is specially incurred from Imperial Funds. But Provincial expenditure under these heads is permitted only under special orders of the Government of India in regard to each Railway.
40.—Subsidized Companies ..	" Land "	
41.—Miscellaneous Railway expenditure.	" Surveys "	
43.—Minor Works and Navigation.	All	The whole.
45.—Civil Works	All, except Post Office and Telegraph Buildings.	The whole.
Contributions	Contributions to Local	The whole.

APPENDIX B.

Madras Provincial Accounts and Estimates.

Heads of Revenue.	Actuals, 1892–93.	Budget estimate, 1893–94.	Revised estimate, 1893–94.	Budget estimate, 1894–95.
Principal Heads of Revenue.	LAKHS.	LAKHS.	LAKHS.	LAKHS.
I.—Land Revenue. Proper	126·25	126·41	128·63	128·65
I.—Land Revenue. Adjustments ..	33·08	32·54	32·49	28·68
III.—Salt	1·69	1·65	1·39	1·67
IV.—Stamps	55·23	53·25	56·25	56·25
V.—Excise	30·28	30·75	32·00	32·25
VII.—Customs	·54	·44	·44	·41
VIII.—Assessed Taxes ..	9·27	8·75	10·13	10·13
IX.—Forest	7·89	9·50	9·50	9·00
X.—Registration ..	6·59	6·75	6·15	6·60
Total ..	270·82	270·04	276·98	273·64
XII.—Interest	·85	1·59	1·61	2·19
Post Office, Telegraph and Mint.				
XIII.—Post Office	·01	..	..	..
Receipts by Civil Departments.				
XVI.—Law and Justice—				
A.—Courts of Law	6·63	6·95	7·20	7·21
B.—Jails	3·60	3·00	3·50	3·62
XVII.—Police	4·64	4·38	5·05	4·60
XVIII.—Marine	..	·01	..	·01
XIX.—Education	1·58	1·55	1·68	1·67
XX.—Medical	·85	·85	·87	·95
XXI.—Scientific and other Minor Departments	1·88	2·18	1·80	1·95
Total ..	19·18	18·92	20·10	20·01
Miscellaneous.				
XXII.—Receipts in aid of Superannuation.	·32	·33	·35	·33
XXIII.—Stationery and Printing ..	1·07	1·11	1·19	1·06
XXV.—Miscellaneous ..	1·48	1·44	1·46	1·48
Total ..	2·87	2·88	3·00	2·87
Railways.				
XXVI.—State Railways (Gross traffic receipts) ..	..	..	..	2·25
Irrigation.				
XXX.—Minor Works and Navigation ..	1·60	1·55	1·77	1·67

Heads of Expenditure.	Actuals, 1892–93	Budget estimate, 1893–94.	Revised estimate, 1893–94.	Budget estimate, 1894–95.
Direct Demands on the Revenue.	LAKHS.	LAKHS.	LAKHS.	LAKHS.
1.—Refunds and drawbacks.	1·25	1·10	1·39	1·20
Charges in respect of collection.				
3.—Land Revenue	50·76	49·67	51·27	51·83
5.—Salt	5·13	6·27	5·66	6·48
6.—Stamps	2·38	1·95	2·60	2·59
7.—Excise	1·44	1·65	1·49	1·65
9.—Customs	1·68	1·72	1·80	1·78
10.—Assessed Taxes	·09	·10	·10	·11
11.—Forest	6·61	8·12	6·72	7·72
12.—Registration	3·70	4·05	3·75	4·16
Total ..	73·04	74·63	74·78	77·52
Interest.				
13.—Interest on Ordinary Debt	1·42	2·00	1·82	1·89
Post Office, Telegraph and Mint.				
15.—Post Office	·79	·80	·82	·85
Salaries and Expenses of Civil Departments.				
18.—General Administration.	10·02	9·48	9·99	9·92
19.—Law and Justice—				
A.—Courts of Law ..	44·88	45·00	45·50	46·26
B.—Jails	10·30	9·35	10·31	10·31
20.—Police	42·21	43·59	42·98	44·53
21.—Marine	1·09	·50	1·15	·33
22.—Education	15·64	16·15	16·40	16·61
24.—Medical	12·22	11·20	12·73	12·87
25.—Political	·91	·77	·81	·83
26.—Scientific and other Minor Departments ..	3·72	4·07	4·16	4·21
Total ..	140·99	140·71	144·03	145·87
Miscellaneous Civil Charges.				
29.—Superannuation Allowances and Pensions ..	13·58	13·81	13·68	13·91
30.—Stationery and Printing.	7·48	7·50	7·81	7·91
32.—Miscellaneous	1·41	1·36	1·44	1·48
Total ..	22·47	22·67	22·93	23·30
Famine Relief and Insurance.				
33.—Famine Relief	2·44	3·00	·03	..
Construction of Railways.				
37.—Construction of Railways, &c.	9·19	6·75	6·64	1·75
Railway Revenue Accounts.				
38. State Railways—Working Expenses	..	..	..	1·52
41. Miscellaneous Railways.	..	..	·11	..
Total ..	..	..	·11	1·52

Madras Provincial Accounts and Estimates—*cont.*

Heads of Revenue.	Actuals, 1892–93.	Budget estimate, 1893–94.	Revised estimate, 1893–94.	Budget estimate, 1894–95.
	LAKHS.	LAKHS.	LAKHS.	LAKHS.
Buildings and Roads.				
XXXII.—Civil Works—Civil.	·19	·50	·52	·28
Do. Public Works Department	1·16	1·50	1·14	1·04
Total ..	1·35	2·00	1·66	1·32
Contributions from Local Funds—				
Ordinary	5·54	1·76	2·57	1·90
Mâyavaram-Muttupet Railway		7·87	4·59	4·20
Total ..	5·54	9·63	7·16	6·10
Total, Revenue and Receipts ..	302·22	306·61	312·28	310·05
Opening Balance	41·91	24·30	26·00	26·45
Grand Total ..	344·13	330·91	338·28	336·50

Heads of Expenditure.	Actuals, 1892–93.	Budget estimate, 1893–94.	Revised estimate, 1893–94.	Budget estimate, 1894–95.
	LAKHS.	LAKHS.	LAKHS.	LAKHS.
Irrigation.				
43.—Minor Works and Navigation	33·32	32·00	31·50	33·25
Buildings and Roads.				
45.—Civil Works. Civil—Agency Works ..	3·85	1·09	1·14	1·13
Civil—Municipal Works ..		3·92	2·64	3·40
Public Works Department ..	21·53	24·00	22·72	23·09
Total ..	25·38	29·01	26·50	27·62
Contribution to Local Funds.	9·09	2·34	2·67	2·93
Total Expenditure ..	318·13	313·91	311·83	316·50
Closing Balance	26·00	17·00	26·45	20·00
Grand Total ..	344·13	330·91	338·28	336·50

APPENDIX C.

DETAILS of PROVINCIAL EXPENDITURE under 43. Irrigation, Minor Works and Navigation.

Particulars.	Actuals, 1892–93.	Budget, 1893–94.	Revised, 1893–94.	Budget, 1894–95.
WORKS FOR WHICH CAPITAL AND REVENUE ACCOUNTS ARE KEPT.	LAKHS.	LAKHS.	LAKHS.	LAKHS.
Capital.				
Buckingham canal	1·86	1·61	1·59	1·77
Other works	1·27	1·89	2·84	3·16
Total ...	3·13	3·50	4·43	4·93
Revenue.				
Buckingham canal	1·16	1·04	1·18	1·06
Other works	2·79	2·07	·97	1·81
Total ...	3·95	3·11	2·15	2·87
WORKS FOR WHICH NEITHER CAPITAL NOR REVENUE ACCOUNTS ARE KEPT.				
Old maintenance charges	3·64	3·64	3·64	3·64
Ordinary Works—				
Major	2·54	1·36	2·04	1·80
Minor	·97	1·40	1·15	1·44
Repairs	4·26	4·30	4·33	4·23
Establishment	1·79	1·63	1·74	1·72
Tools and plant	·14	·11	·11	·11
Total ...	9·70	8·80	9·37	9·30
Tank Restoration Works—				
Investigation—				
Works	·17	...	...	...
Establishment	·47	·79	·78	·58
Tools and plant	·02	·01	·01	·01
Total ...	·66	·80	·79	·59
Execution—				
Works	1·28	1·66	1·82	2·05
Repairs	1·84	2·02	1·22	1·50
Establishment	·72	·85	·70	·82
Tools and plant	·05	·06	·05	·05
Total ...	3·89	4·59	3·79	4·42

Details of Provincial Expenditure under 43. Irrigation, Minor Works and Navigation—*cont.*

Particulars.	Actuals, 1892-93.	Budget, 1893-94.	Revised, 1893-94.	Budget, 1894-95.
WORKS FOR WHICH NEITHER CAPITAL NOR REVENUE ACCOUNTS ARE KEPT—*cont.*	LAKHS.	LAKHS.	LAKHS.	LAKHS.
Kistna upland projects	·07	·06	·04	...
Minor works, Revenue Department	4·34	4·00	3·45	4·50
Agricultural Works—				
Works	·89	1·10	1·08	·58
Repairs	2·28	1·69	2·18	1·85
Establishment	·71	·67	·77	·54
Tools and plant	·04	·04	·05	·03
Refunds	·01	...	...	...
Total ...	3·93	3·50	4·08	3·00
Abstract—				
Works	9·33	9·04	12·81	14·76
Repairs	16·36	15·35	11·22	10·84
Establishment	7·30	7·32	7·42	7·19
Tools and plant	·31	·29	·29	·44
Refunds	·02	...	...	·02
Total ...	33·32	32·00	*31·74	33·25

* *Note.*—This has been reduced by the Government of India to 31·50. But as it is not known whether the alteration has been made under "Revenue" or "Public Works Department," the details cannot at present be altered.

DETAILS of EXPENDITURE under 45. Provincial Civil Works.

Particulars.	Actuals, 1892-93.	Budget, 1893-94.	Revised, 1893-94.	Budget, 1894-95.
PUBLIC WORKS DEPARTMENT.	LAKHS.	LAKHS.	LAKHS.	LAKHS.
ORIGINAL WORKS.				
Civil Buildings.				
Administration—				
Collectors' offices	·51	·06	·23	·25
Head Assistant Collectors' offices	·12	·10	·13	·40
Deputy Collectors' offices	·12	·13	·25	·08
Deputy Tahsildars' offices	·14	·26	·33	·47
Sub-Magistrates' offices	·12	·12	·06	·44
Taluk offices	1·33	1·93	2·30	2·47
Sub-jails	·07	·09	...	·03
Government House, Ootacamund	·11	·10	·10	·10
Body Guard Lines	...	...	...	...
Accountant-General's office	·03	·04	·04	...
Stamp, &c., offices in High Court	...	·40	·40	·18
Excise and Customs	·03	...	·06	·44
Others	·28	...	·19	...
Total Administration ...	2·86	3·23	4·09	4·86
Law and Justice—				
Munsifs' courts	·35	·66	·66	·47
Vakils and Barristers	...	...	...	...
High Court buildings	1·94	·85	·41	...
Others	·03	...	...	...
Total ...	2·32	1·51	1·07	·47
Jail buildings	·63	·69	1·17	·58
Police buildings	·60	1·35	·95	·60
Minor Department	·02	...	...	...
Ecclesiastical	·08	...	·01	...
Forest	·01	...	·03	...

Details of Expenditure under 45. Provincial Civil Works—*cont.*

Particulars.	Actuals, 1892–93.	Budget, 1893–94.	Revised, 1893–94.	Budget, 1894–95.
Civil Buildings—cont.	LAKHS.	LAKHS.	LAKHS.	LAKHS.
Education—				
Presidency College	·16	...	·04	...
Law College	...	·50	·44	1·00
Engineering College	·14	·43	·11	...
Connemara Library and Victoria Technical Institute	1·12	·58	·83	1·00
Others	·34	·05	·19	·20
Total ...	1·76	1·56	1·61	2·20
Medical—				
Women and Children's Hospital	...	·80	— ·43	...
Lunatic Asylum, Madras	·08	·34	·30	...
Leper Hospital	...	·04	...	...
Others	·56	·09	·13	
Total ...	·64	1·27	...	...
Miscellaneous—				
District Surgeon's quarters	·09	...	...	...
Collectors' and Head Assistant Collectors' quarters	·06	·05	·21	·12
Engineers' offices	·17	...	·08	·08
Registration offices	·09	·43	·75	·54
Army Head-quarters (Mount Stuart) ...	·48	·06	·06	...
Others	·21	...	·01	...
Total ...	1·10	·54	1·11	·74
Total departmental works	10·02	10·15	10·04	9·45
Minor works	...	·88	1·28	·89
Reserve with Government	...	2·95	...	2·80
Total Civil buildings ...	10·02	13·98	11·32	13·14

Details of Expenditure under 45. Provincial Civil Works—*cont.*

Particulars.	Actuals, 1892-93.	Budget, 1893-94.	Revised, 1893-94.	Budget, 1894-95.
Communications.	LAKHS.	LAKHS.	LAKHS.	LAKHS.
Ganjám District	·30	·27	·35	...
West Coast Division	1·00	·30	·28	·17
Madura District	·29	·15	·26	...
Vizagapatam District	·27	...	...	...
Coimbatore Division	·55	·10	·62	·08
Total Communications ...	2·41	·82	1·51	·25
Miscellaneous Public Improvements ...	·03	·05	·11	·03
Total Original works ...	12·46	14·85	12·94	13·42
Repairs—				
Buildings	1·88	1·66	1·99	1·55
Communications	1·15	1·19	1·22	1·31
Miscellaneous Public Improvements ...	·13	·15	·19	·14
Total Repairs ...	3·16	3·00	3·40	3·00
Establishment—				
Engineers	6·58	6·39	6·39	6·59
Upper Subordinates	4·43	3·60	3·60	3·65
Lower Subordinates	·21	·16	·16	·17
Petty establishment	2·16	2·05	2·05	1·38
Office establishment	3·23	2·80	2·80	2·80
Temporary establishment	...	1·73	1·73	1·72
Local allowances	...	·25	·25	·94
Travelling allowances	2·21	2·30	2·30	2·30
Contingencies	0·48	·50	·50	50
Other departmental charges	·19	...	...	...
Total Executive establishment ...	19·49	19·78	19·78	20·05
Account Branch	1·72	1·76	1·76	1·74
Total (Gross) Establishment ...	21·21	21·54	21·54	21·79
Deduct Contributions from—				
Court of Wards	·06	·03	·03	·04
Imperial Military works	·16	·18	·18	·16
Imperial Civil works	·07	·07	·07	·06
Incorporated Local Funds	·31	·04	·04	·14
Excluded Local Funds	·06	...	...	·39
35. Protective works	·89	·81	·81	·65
42. Major works	4·62	5·07	5·07	5·15
49. Capital expenditure on Major works ...	2·83	2·97	2·97	2·58
43. Minor works	6·82	7·32	7·32	7·19
Other works	·31	...	...	...
Total Contributions ...	16·13	16·49	16·49	16·36
Net Provincial establishment ...	5·08	5·05	5·05	5·43

Details of Expenditure under 45. Provincial Civil Works—*cont.*

Particulars.	Actuals, 1892–93.	Budget, 1893–94.	Revised, 1893–94.	Budget, 1894–95.
	LAKHS.	LAKHS.	LAKHS.	LAKHS.
Tools and plant—				
Public Works Workshops	..	·04	·04	·04
" " Stores	1·23	·10	·10	·10
London supplies	...	1·00	·90	1·00
Others	·58	·18	·24	·34
	1·81	1·32	1·28	1·48
Deduct Contributions ...	·39	·22	·22	·24
Net Tools and plant ...	1·42	1·10	1·06	1·24
Abstract—				
Civil Buildings	11·90	15·64	13·31	14·69
Communications	3·56	2·01	2·73	1·56
Miscellaneous Public Improvements ...	·16	·20	·30	·17
Establishment	5·08	5·05	5·05	5·43
Tools and plant	1·42	1·10	1·06	1·24
Stock and Suspense	— ·59	..	·27	...
Total Public Works Department ...	21·53	24·00	22·72	23·09
IN CHARGE OF CIVIL OFFICERS.				
Agency Works	} 3·85	1·09	1·14	1·13
Municipal Works		3·92	2·64	3·40
Grand Total ...	25·38	29·01	26·50	27·62

APPEN

INCORPORATED LOCAL AND SPECIAL

Heads of Revenue.	Actuals, 1892–93.			Budget estimate, 1893–94.			Revised estimate, 1893–94.			Budget estimate, 1894–95.		
	Local Funds Act V of 1884.	Special Funds.	Total.	Local Funds Act V of 1884.	Special Funds.	Total.	Local Funds Act V of 1884.	Special Funds.	Total.	Local Funds Act V of 1884.	Special Funds.	Total.
I. Land Revenue ..	1·19	9·61	10·80	1·10	8·85	9·95	1·20	4·20	5·40	1·20	16·19	17·39
VI. Provincial rates ..	51·53	39·74	91·27	50·21	41·79	92·00	50·70	14·00	64·70	50·80	16·09	66·89
XII. Interest..	·66	·34	1·00	·52	·33	·85	·66	·33	·99	·52	·17	·69
XIX. Education.	2·05	..	2·05	2·25	..	2·25	2·15	..	2·15	2·25	..	2·25
XX. Medical ..	·28	..	·28	·18	..	·18	·25	..	·25	·22	..	·22
XXII. Superannuation.	·01	..	·01	·01	..	·01	·01	..	·01	·01	..	·01
XXV. Miscellaneous ..	5·91	·05	5·96	5·35	·12	5·47	5·50	·02	5·52	5·57	·06	5·63
XXXII. Civil Works	9·44	·01	9·45	9·50	·02	9·52	9·50	·08	9·58	9·45	·08	9·53
Contributions ..	8 83	·30	9·13	2·26	·08	2·34	2·67	..	2·67	2·93	..	2·93
Total Revenue ..	79·90	50·05	129·95	71·38	51·19	122·57	72·64	18·63	91 27	72·95	32·59	105·54
Debt deposits ..	·55	..	·55	..	..	..	..	..	..	..	8·55	8·55
Surplus or deficit ..	+ ·42	+6·81	+7·23	− 15·63	+ 3·89	− 11·74	−5·82	− 27·21	−33 03	− 10·33	−6·78	−17·11
Opening balance ..	17 57	32 93	50·50	11·98	38·85	50·83	17·99	39·74	57·73	12·17	12·53	24·70

DIX D.

Fund Accounts and Estimates.

Heads of Expenditure.	Actuals, 1892–93.			Budget estimate, 1893–94.			Revised estimate, 1893–94.			Budget estimate, 1894–95.		
	Local Funds Act V of 1884.	Special Funds.	Total.	Local Funds Act V of 1884.	Special Funds.	Total.	Local Funds Act V of 1884.	Special Funds.	Total.	Local Funds Act V of 1884.	Special Funds.	Total.
1. Refunds	·11	·17	·28	·18	·01	·19	·09	·10	·19	·12	·01	·13
3. Land Revenue ..	..	41·77	41·77	..	46·24	46·24	..	44·20	44·20	..	47·09	47·09
14. Interest on other obligations ..	·08	..	·08	·08	..	·08	·08	..	·08	·07	..	·07
18. General administration ..	2·85	..	2·85	3·15	..	3·15	3·00	..	3·00	3·20	..	3·20
22. Education ..	10 45	..	10·45	12·00	..	12·00	10·97	..	10·97	11 92	..	11·92
24. Medical	12·68	..	12·68	13·50	..	13·50	12·76	..	12·76	13·29	..	13·29
29. Superannuation ..	·11	..	·11	·10	..	·10	·12	..	·12	·12	..	·12
32. Miscellaneous ..	2·95	..	2·95	3·18	..	3·18	2·99	..	2·99	3·20	..	3·20
43. Minor Works and Navigation ..	..	·19	·19	..	·28	·28	..	·09	·09	..	·12	·12
45. Civil works ..	45·80	·53	46·33	45·28	·68	45·96	42·22	·52	42·74	45·47	·49	45·96
Contributions ..	5·00	·58	5·58	9·54	·09	9·63	6·23	·93	7·16	5·89	·21	6·10
Total Expenditure ..	80·03	43·24	123·27	87·01	47·30	134·31	78·46	45·84	124·30	83·28	47·92	131·20
Closing balance ..	17·99	39·74	57·73	—3·65	+42·74	39·09	12·17	12·53	24·70	1·84	5·75	7·59

I.—ACCOUNT OF PROVINCIAL FUNDS ACCORDING TO THE BUDGET OF 1882-83.

[In lakhs of rupees.]

Revenue and Receipts.	Proportion.	Amount.
I. Land Revenue	28·8073 *per cent.*	130·54
III. Forest	½	2·41
IV. Excise	½	30·50
V. Assessed Taxes	½	2·35
VII. Customs (except Customs duties)	Whole.	·50
VIII. Salt (except duty on salt and sale of salt)	Whole.	·19
X. Stamps	½	27·00
XI. Registration	½	2·95
XIII. Post Office	Whole.	..
XV. Minor Departments	Whole.	1·08
XVI. Law and Justice	Whole.	7·38
XVII. Police	Whole.	5·21
XVIII. Marine (Pilotage receipts) ..	Whole.	·33
XIX. Education	Whole.	1·72
XX. Medical	Whole.	·84
XXI. Stationery and Printing ..	Whole.	·70
XXII. Interest (on Government Securities—Provincial) ..	Whole.	·03
XXIII. Receipts in aid of Superannuation (except book transfers from and subscriptions to Military and Medical Funds).	Whole.	·34
XXIV. Miscellaneous (except a few minor heads)	Whole.	·94
XXVI. Irrigation and Navigation (Buckingham Canal tolls) ..	Whole.	1·17
XXVII. Other Public Works (except receipts from Military Works)	Whole.	1·58
Contributions	Whole.	6·62
Total, Revenue and Receipts ..	..	224·38

Expenditure.	Proportion.	Amount.
3. Refunds and drawbacks	Same as the corresponding heads of receipts.	1·43
4. Land Revenue	Whole.	42·54
5. Forest	½	2·36
6. Excise	½	1·01
7. Assessed Taxes	½	·04
9. Customs	Whole.	2·10
12. Stamps	½	·72
13. Registration	½	2·27
15. Post Office (District Post)	Whole.	1·13
17. Administration (except Account and Currency offices, Reserve Treasuries and allowance to Presidency Bank)	Whole.	9·48
18. Minor Departments (except Archæological and Meteorological Departments, Censuses, Gazetteers and Statistical Memoirs) ..	Whole.	3·70
19. Law and Justice	Whole.	48·00
20. Police (except Police employed on Imperial State Railways and on Salt preventive duties)	Whole.	38·43
21. Marine (a few minor items) ..	Whole.	·43
22. Education	Whole.	10·66
24. Medical Services	Whole.	10·50
25. Stationery and Printing (except stationery purchased for Central Stores)	Whole.	6·84
29. Superannuation allowances (except pensions payable from Military and Medical Funds)	Whole.	8·27
30. Miscellaneous (except remittance of treasure, discount on supply bills, and extraordinary unclassified items exceeding Rs. 10,000) ..	Whole.	2·65
31. Famine Relief	Whole.	..
33. Irrigation and Navigation (Buckingham Canal)	Whole.	2·99
34. Other Public Works (except Military Public Works, Works in the Salt, Opium, Post Office, Imperial Telegraph and Ecclesiastical Departments, and on Mints and Currency offices) ..	Whole.	25·51
Contributions	Whole.	1·41
Total, Expenditure ..	..	222·47
Surplus ..	..	1·91

II.—ACCOUNT OF PROVINCIAL FUNDS ACCORDING TO THE BUDGET OF 1887–88.

[In lakhs of rupees.]

Revenue and Receipts.	Proportion.	Amount.	Expenditure.	Proportion.	Amount.
I. Land Revenue	¼	115·87	1. Refunds and Drawbacks	Same as the corresponding heads of receipts.	·91
III. Salt (Rents and Miscellaneous)	Whole.	1·47		Whole.	49·37
IV. Stamps	¾	44·25	3. Land Revenue	¾	1·10
V. Excise	¼	22·00	6. Stamps	¼	·64
VII. Customs (Rents and Miscellaneous)	Whole.	·24	7. Excise	Whole.	1·69
VIII. Assessed Taxes	½	6·30	9. Customs	½	·18
IX. Forest	Whole.	14·90	10. Assessed Taxes	Whole.	12·40
X. Registration	½	4·33	11. Forest	½	3·18
XII. Interest (on Government securities—Provincial)	Whole.	·03	12. Registration	Whole.	1·07
XVI-A. Law and Justice—Courts of Law	Whole.	3·86	15. Post Office (District Post)		
XVI-B. Law and Justice—Jails ..	Whole.	1·93	18. General Administration (excluding Account Office—Imperial Branch, Currency Department, Reserve	Whole.	10·32
XVII. Police	Whole.	3·58	Treasury and Bank charges) ..	Whole.	40·43
XVIII. Marine	Whole.	·05	19-A. Law and Justice—Courts of Law.	Whole.	9·01
XIX. Education	Whole.	1·94	19-B. Law and Justice—Jails		
XX. Medical	Whole.	1·26	20. Police (except guards for Customs and Salt Departments and portion	Whole.	38·14
XXI. Scientific and other Minor Departments	Whole.	1·64	of Railway Police)	Whole.	·19
XXII. Receipts in aid of Superannuation (a few minor heads) ..	Whole.	·25	21. Marine	Whole.	11·69
XXIII. Stationery and Printing (except a few minor items) ..	Whole.	·80	22. Education	Whole.	11·88
XXV. Miscellaneous (except a few minor heads).	Whole.	·72	24. Medical		
XXX. Irrigation—Minor Works and Navigation	Whole.	·82	26. Scientific and other Minor Departments (except a few minor items).	Whole.	3·76
XXXII. Civil Works	Whole	·98	29. Superannuation allowances and pensions (certain minor heads) ..	Whole.	10·29
Contributions	Whole.	2·85	30. Stationery and Printing (except stationery purchased for the Central Stores)	Whole.	7·52
Sundry minor adjustments between Imperial and Provincial	..	·31	32. Miscellaneous (except a few minor	Whole.	3·17
Fixed adjusting assignment ..	..	33·01	heads)	Whole.	·10
			33. Famine Relief	Whole.	·50
			40. Subsidised Companies—land, &c. ..		
			43. Irrigation—Minor Works and Navigation	Whole.	26·51
			45. Civil Works (except Postal, Tele-	Whole.	17·93
			graph and Salt buildings) ..	Whole.	2·68
			Contributions		
			Total, Expenditure ..	..	264·66
Total, Revenue and Receipts ..	..	263·39	Deficit ..	..	1·27

III.—ACCOUNT OF PROVINCIAL FUNDS ACCORDING TO THE BUDGET OF 1892-93.

[In lakhs of rupees.]

Revenue and Receipts.	Proportion.	Amount.
I. Land Revenue	¼	125·33
III. Salt (certain minor heads) ..	Whole.	1·44
IV. Stamps	¾	49·50
V. Excise	¼	31·00
VII. Customs (certain minor heads).	Whole.	·35
VIII. Assessed Taxes	½	8·63
IX. Forest	½	9·50
X. Registration	½	5·80
XII. Interest (on Provincial Loans and Advances and on Government Securities)	Whole.	·53
XIII. Post Office (District Post collections)	Whole.	..
XVI-A. Law and Justice—Courts of Law	Whole.	6·50
XVI-B. Law and Justice—Jails ..	Whole.	2·13
XVII. Police	Whole.	4·27
XVIII. Marine	Whole.	..
XIX. Education	Whole.	1·42
XX. Medical	Whole.	·73
XXI. Scientific and other Minor Departments	Whole.	1·86
XXII. Receipts in aid of Superannuation (a few minor heads) ..	Whole.	·36
XXIII. Stationery and Printing (except a few minor heads) ..	Whole.	1·00
XXV. Miscellaneous—		
Pearl Fishery receipts ..	½	} 1·39
All other minor heads (excepting a few) and items not in excess of Rs. 10,000 ..	Whole.	}
XXVI. State Railways, Gross receipts (Máyavaram-Muttupet Railway)	Whole.	..
XXX. Irrigation—Minor Works and Navigation	Whole.	1·50
XXXII. Civil Works	Whole.	1·40
Contributions	Whole.	12·85
Fixed adjusting assignment ..	..	32·54
Total, Revenue and Receipts ..	..	300·08

Expenditure.	Proportion.	Amount.
1. Refunds and Drawbacks	Same as the corresponding heads of receipts.	1·02
3. Land Revenue	Whole.	48·51
5. Salt .. { Works constructed for Licensees	Whole.	} 6·21
5. Salt .. { All other minor heads ..	¼	}
6. Stamps	¾	1·89
7. Excise	¼	1·68
9. Customs	Whole.	1·63
10. Assessed Taxes	½	·08
11. Forest	½	8·04
12. Registration	½	3·93
13. Interest (on Provincial Advance and Loan Accounts)	Whole.	1·03
15. Post Office (District Post establishments)	Whole.	·95
18. General Administration (except Account Office—Imperial Branch, Currency Department, Reserve Treasury and Bank charges) ..	Whole.	9·72
19-A. Law and Justice—Courts of Law.	Whole.	43·76
19-B. Law and Justice—Jails	Whole.	9·00
20. Police	Whole.	43·21
21. Marine	Whole.	1·21
22. Education	Whole.	15·67
24. Medical	Whole.	11·20
25. Political (except "Refugees and State Prisoners" and "Miscellaneous")	Whole.	·76
26. Scientific and other Minor Departments (except a few items) ..	Whole.	4·09
29. Superannuation allowances (certain minor heads)	Whole.	14·50
30. Stationery and Printing (except stationery purchased for Central Stores)	Whole.	7·38
32. Miscellaneous—		
Pearl Fishery charges	½	} 1·35
All other minor heads (excepting a few) and items not in excess of Rs. 10,000	Whole.	}
33. Famine Relief	Whole.	10·00
37. Construction of Railways (except in cases in which the outlay is incurred from Imperial Funds) .	Whole.	15·50
38. State Railways (Máyavaram-Muttupet Railway)	Whole.	..
43. Irrigation—Minor Works and Navigation	Whole.	31·50
45. Civil Works (except Post Office and Telegraph buildings)	Whole.	29·30
Contributions	Whole.	2·35
Total, Expenditure ..	..	325·47
Deficit ..	..	25·44

IV.—STATEMENT SHOWING THE PROVINCIAL RECEIPTS AND CHARGES FROM 1882–83 TO 1892–93.

—	1882–83.	1883–84.	1884–85.	1885–86.	1886–87.	1887–88.	1888–89.	1889–90.	1890–91.	1891–92.	1892–93.
Opening Balance ..	17·43	28·27	29·56	20·83	35·50	43·37	53·91	65·30	79·76	66·09	41·91
Receipts ..	236·29	235·29	236·17	254·95	250·73	273·54	282·73	294·12	276·29	291·23	302·22
	253·72	263·56	265·73	275·78	286·23	316·91	336·64	359·42	356·05	357·32	344·13
Charges ..	225·45	234·00	244·90	240·28	242·86	263·00	271·34	279·66	289·96	315·41	318·13
Closing Balance ..	28·27	29·56	20·83	35·50	43·37	53·91	65·30	79·76	66·09	41·91	26·00

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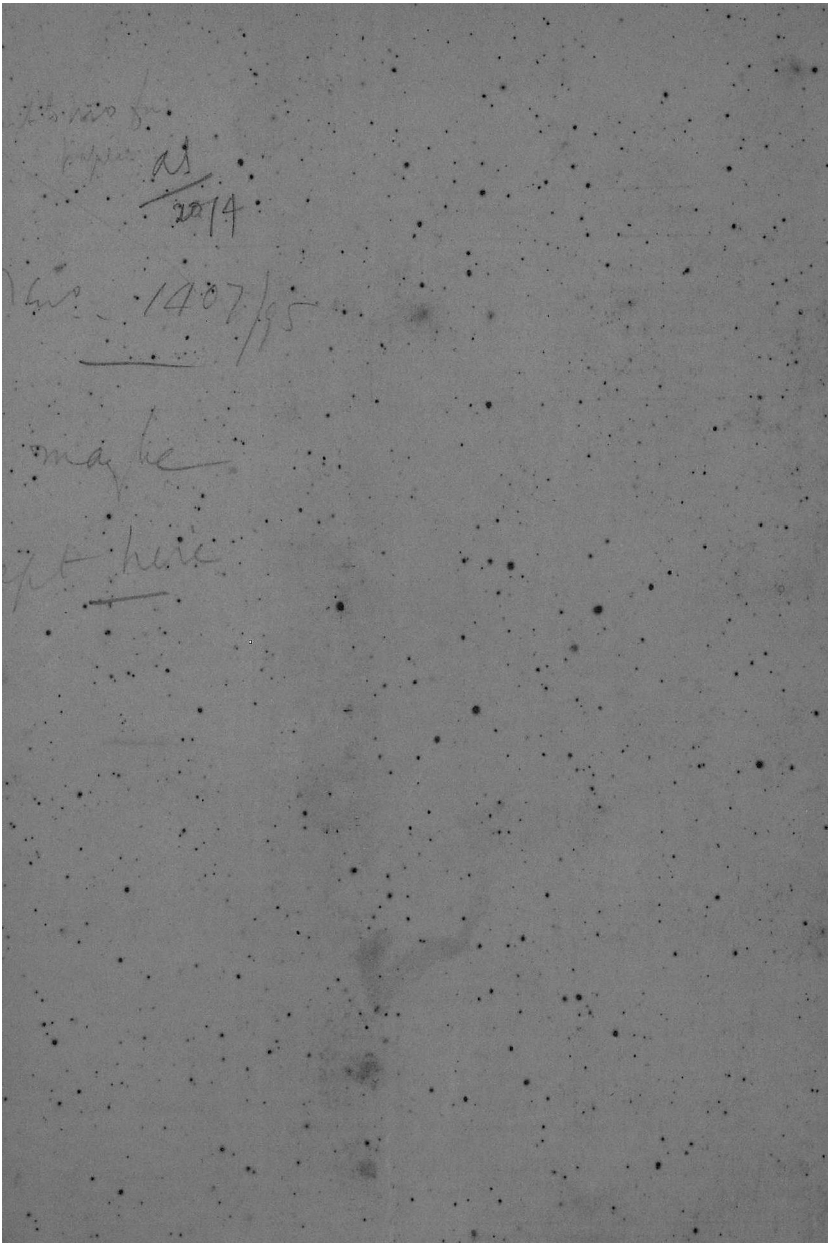
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Proceedings of a Meeting of the Council of the Governor of Fort St. George, assembled for the purpose of making Laws and Regulations under the provisions of the Acts of Parliament, 24 *and* 25 *Victoria, Cap.* 67, *and* 55 *and* 56 *Victoria, Cap.* 14.

The Council met at the Council Chamber in Fort St. George at 3 P.M. on Tuesday, the 20th November 1894.

PRESENT:

His Excellency the Right Hon'ble the GOVERNOR OF MADRAS, G.C.I.E.—*Presiding*.
The Hon'ble Mr. H. W. BLISS, C.I.E.
The Hon'ble Mr. J. GROSE, M.A.
The Hon'ble Mr. J. A. BOYSON.
The Hon'ble A. SABHAPATHI MUDALIYAR, RAO BAHADUR.
The Hon'ble N. SUBBA RAO PANTULU, B.A., B.L.
The Hon'ble the Rev. W. MILLER, M.A., LL.D., C.I.E.
The Hon'ble C. SANKARAN NAYAR, B.A., B.L.
The Hon'ble Colonel J. PENNYCUICK, R.E.
The Hon'ble Mr. C. S. CROLE.
The Hon'ble GHULAM MUHAMMAD HASAN ALI KHAN BAHADUR.
The Hon'ble Mr. A. T. ARUNDEL.
The Hon'ble Mr. E. GIBSON.
The Hon'ble the ADVOCATE-GENERAL.
The Hon'ble MR. J. STURROCK.
The Hon'ble the MAHARAJA OF VIZIANAGRAM, G.C.I.E.
The Hon'ble Mr. GEORGE ROMILLY.
The Hon'ble Mr. D. DUNCAN, M.A., D.Sc.
The Hon'ble Mr. J. F. PRICE, C.S.I.

NEW MEMBERS.

THE SECRETARY.—I have the honour to announce to your Excellency that the Hon'ble Mr. G. Romilly, the Hon'ble Mr. D. Duncan and the Hon'ble Mr. J. F. Price have taken their seats as Additional Members of the Council.

QUESTIONS.

1. The Hon'ble C. SANKARAN NAYAR.—Whether it is not true that the Government have in Malabar pledged themselves not to tax pepper, and whether it has not been the practice not to tax pepper or the land that bears it?

The Hon'ble Mr. GROSE.—The Government has given an assurance that the old system of levying a tax on the growing pepper vine will not be revived. No tax is now imposed either on pepper or on the lands solely devoted to its cultivation. It was, however, the practice to tax pepper up to 1874–75 and no land bearing pepper has been specifically exempted from assessment on the ground that pepper alone is grown upon it.

2. The Hon'ble C. Sankaran Nayar.—Whether it is now proposed to tax pepper by imposing a tax on the land bearing it?

The Hon'ble Mr. Grose.—Under the new settlement all land taken up for cultivation will be assessed to land revenue whatever crop may be raised on it.

3. The Hon'ble C. Sankaran Nayar.—If it is proposed to impose any such tax, will the Government be pleased to place on the table or at the disposal of the press the proceedings or proclamation of 1806, 1827, the Board's Proceedings, No. 1846, dated 16th September 1873, and any other material papers showing the circumstances which led to the promises or pledges referred to above?

The Hon'ble Mr. Grose.—The papers specifically referred to in this question will be placed on the Council Table. A selection of papers will be made in the Revenue Department and supplied to the Hon'ble Member.

4. The Hon'ble C. Sankaran Nayar.—With reference to the opinion expressed in the letter to the Government of Madras from the Secretary to the Government of India, dated 15th May 1883, No. 538-R., that "unless some remedies are applied in *these* (Tanjore and Malabar) districts, the Government of India cannot but fear that the land-owning class will be in a position to pass on to the cultivator any enhancement of revenue which may result from the revision of existing assessments."

Will your Excellency be pleased to inform the Council whether this Government propose to take any steps in the direction indicated in the above extract?

The Hon'ble Mr. Grose.—The Government does not read the words "these districts" as referring to the district of Tanjore, but as referring to the districts of Malabar and South Canara in regard to which districts the letter from the Government of India was specially written. As regards Malabar and South Canara the Government is giving its attention to the subject in connection with the new settlement.

5. The Hon'ble C. Sankaran Nayar.—If the revenue payable after enhancement has to be paid by the land-owning classes, will the Government be pleased to ascertain whether they are able to pay such enhanced revenue, regard being had to their present cost of personal living and standard of comfort, and will your Excellency be pleased to place such information at the disposal of the press as early as possible?

6. Will the Government ascertain how many tenants, if any, are likely to be evicted on account of the proposed increase in revenue, whether the wages of the agricultural labourers particularly, and of the other labourers generally, are likely to be reduced, and what number of persons are likely to be thrown out of employment on account of this enhancement, and whether there are other industries in these two districts which could employ these labourers and evicted tenants; and will your Excellency be pleased to place such information at the disposal of the press as early as possible?

The Hon'ble Mr. Grose.—(5) and (6) The Government does not propose to take any special measures in the direction indicated by the Hon'ble Member beyond making the usual inquiries in connection with the settlement.

7. The Hon'ble C. Sankaran Nayar.—Whether the Government have ascertained from the district officials what the effect of the proposed enhancement will be on the prosperity of the district, and whether, in Malabar in particular, an enhancement of revenue will not result in an increase in crime? If the Government are in possession of any report on the matter, will such report be made public?

The Hon'ble Mr. GROSE.—The question is premature inasmuch as it is not yet known what the amount of increase will be. No report of the kind indicated has been received.

8. The Hon'ble C. SANKARAN NAYAR.—Will the pattadar or ryot be informed of the proposed increase of revenue on his holding before it is *finally* settled, and will he be afforded an opportunity of proving, if necessary, that the proposed increase is inequitable and unjust, or contrary to the rules framed or orders passed by the Government of India or Madras?

The Hon'ble Mr. GROSE.—The course prescribed in Chapter IV, section 62, of the Settlement Manual, will be followed in Malabar as elsewhere.

9. The Hon'ble C. SANKARAN NAYAR.—Will your Excellency be pleased to call for and place at the disposal of the press from time to time—

The number of holdings	where the increase	of revenue is between	1 and 25
Do.	do.	do.	25 to 35
Do.	do.	do.	35 to 50
Do.	do.	do.	50 to 75
Do.	do.	do.	75 to 100
Do.	do.	do.	100 to 200
Do.	do.	do.	above 200 per cent.

The Hon'ble Mr. GROSE.—When the rates are finally settled the Government will call for and publish the information asked for by the Hon'ble Member.

10. The Hon'ble C. SANKARAN NAYAR.—Will your Excellency be pleased to direct the District and Divisional Magistrates to publish in the local Gazettes and submit to the High Court any remarks they consider necessary to pass on any discharge, acquittal, or conviction of accused persons by their subordinate Magistrates for offences against Salt, Abkári and Forest Laws and any circulars or orders issued by them on the administration of those laws?

The Hon'ble Mr. BLISS.—The Government does not consider that any useful purpose would be served by the issue of any such direction and is not prepared to take action in the matter.

11. The Hon'ble C. SANKARAN NAYAR.—Is it true that a petition signed by numerous persons was presented to the Tahsildar of Walawanad in Malabar complaining of oppression by Abkári officials? Did the Tahsildar make any enquiry and report, and did the Collector take any, and if so what, steps in the matter?

12. Is it true that a system of granting special rewards for the detection of crimes to Salt and Abkári peons or other officials in those departments exists or recently existed in Malabar? What was the amount, if any, so paid to the peons or other officials in 1893-94?

The Hon'ble Mr. ARUNDEL.—(11) In reply to inquiry the Collector of Malabar has telegraphed as follows:—

"Petition signed by 105 Chetties of Kuttampalle to Bradley sent to Walawanad Tahsildar for inquiry. His report incomplete. I made inquiry and dismissed petition as false. Know of no petition to Tahsildar."

This has since been confirmed by a report from the Collector which ends as follows:—

"The result of my enquiry is that petitioners have utterly failed to prove a single act of oppression or extortion on the part of the Abkári officials. It is clear that the petition was got up because petitioners' dhoby had been arrested for smuggling."

(12) General Rules for the grant of rewards in Salt and Abkári cases, which have been in force for many years, will be found in paragraph 121 of the Board's Circular Order No. I of 1891. These rules are applicable to all districts. Under these rules rewards aggregating Rs. 55,773 were granted in 1893-94 in the Malabar district in Salt and Abkári cases. This sum includes—in addition to the rewards granted to officials of the Salt and Abkári Department—rewards paid to officials of other departments (*e.g.*, Police) and to informers and others rendering service in the detection of Salt and Abkári cases. Information is not available as to what part of the above-named sum was paid to officials of the Salt and Abkári Department.

13. The Hon'ble A. Sabhapati Mudaliyar.—Whether the Government will be pleased to obtain a statement showing the names and classes of the District Board Local Fund Engineers employed in the several districts of this Presidency and state what are the rules and qualifications under which their appointments are made?

14. Whether, in consideration of the large number of graduates turned out of the Civil Engineering College each year, the Government would not deem it just to the claims of the Indians to frame rules for filling up future appointments so that suitable opportunities may be afforded to them to compete for the same?

The Hon'ble Mr. Bliss.—(13) The names, pay and travelling allowances of all District Board Engineers are published in the Civil list, to which the Hon'ble Member is referred. District Board Engineers are not divided into classes. There are no rules with regard to their appointment or qualifications excepting that the former is subject to the approval of Government, which, before according this, satisfies itself that the nominee of the President possesses sufficient technical knowledge to enable him to perform his duties.

(14) The Government nearly a year ago laid down a rule that from the 1st January 1897 training in the local Civil Engineering College, or such approved service as it may consider equivalent to this, will be required as a qualification for all Public Works appointments under Local Boards carrying salaries of Rs. 100 and upwards and has intimated that preference should generally be given to men so trained.

15. The Hon'ble N. Subba Rao Pantulu, on behalf of the Hon'ble S. R. Ramasubbaiyar.—Has the Government of Madras any information as to whether Mr. Garthwaite, the Malayalam Translator to Government, means to keep his establishment at Madras or Kolar?

16. Whether, in case he means to keep them at Kolar, the Government will be pleased to order that they (the establishment) may not be subjected to the hardship of remaining in such an out-of-the-way and inconvenient place as Kolar?

The Hon'ble Mr. Bliss.—(15) The Government has no information, but Mr. Garthwaite will be referred to.

(16) The Government will consider the matter when Mr. Garthwaite's reply is received.

17. The Hon'ble N. Subba Rao Pantulu on behalf of the Hon'ble K. Kalyanasundaram Aiyar.—(*a*) With reference to G.O., dated 31st July 1893, No. 677, directing that the increase involved in the scheme of re-settlement of the district of Tanjore should not exceed eleven lakhs of rupees, will the Government be pleased to state the actual amount of increase according to the scheme which has been given effect to by the Settlement department since the abovementioned order of Government?

(*b*) Has the Settlement department carried out the instructions contained in the said Government Order to the effect that the scheme therein referred to should be modified with reference to the special conditions of irrigation and drainage of each locality, and, if so, what reductions have been allowed in consideration thereof—

(1) generally in respect of the whole district, and

(2) particularly in respect of the villages under the Kodamurti river, the irrigation under which is complained of as being defective ?

The Hon'ble Mr. GROSE.—(17) (*a*) *and* (*b*). The information asked for by the Hon'ble Member is not yet available, but will be furnished when the final report on the introduction of the new settlement has been received.

18. The Hon'ble N. SUBBA RAO PANTULU on behalf of the Hon'ble K. KALYANASUNDARAM AIYAR.—Is it true that there is a proposal before Government to transfer the head-quarters of the Tahsildar of the taluk of Satyamangalam in the Coimbatore district from Satyamangalam, which seems to be situated nearly in the centre of the taluk, to the village of Gopichettipalaiyam situated almost in the eastern extremity thereof ? If so, will the Government be pleased to state the reasons necessitating such change or rendering it desirable ?

The Hon'ble Mr. GROSE.—In 1889, or five years ago, the Government decided upon the transfer of the head-quarters of the Satyamangalam taluk to Gopichettipalaiyam as being the most suitable place for the Tahsildar's office, and a new taluk kutcheri is now in course of construction at Gopichettipalaiyam. The reasons for the transfer will be found in the correspondence printed in G.O., dated 13th March 1889, No. 190, which was placed on the Editors' Table, and in G.O., dated 10th April 1891, No. 286, which will now be placed on the Council Table.

19. The Hon'ble C. SANKARAN NAYAR on behalf of the Hon'ble P. RANGAYYA NAYUDU.—In regard to the questions asked by me at this Council on the 9th of April last about certain matters connected with criminal administration in Salem, to which Government said in reply that it had no information, will Government now state if it has taken any steps to obtain information, and, if it has, will the Government be pleased to give the information asked for at the previous meeting of the Council; if it has not, will the Government be pleased to call for a report in the said matter and place the same on the table ?

The Hon'ble Mr. BLISS.—Government did not take any steps to obtain information on the questions asked by the Hon'ble Member, but on a petition which covered much the same ground as the Hon'ble Member's questions and which was presented by certain inhabitants of Salem, the District Magistrate was called on to report as to the conduct of the Deputy Magistrate. On the District Magistrate's report, the Government passed such orders as seemed to it to be necessary and these were communicated to the memorialists and are doubtless known to those who are principally interested in the matter. The Government sees no reason to take any further steps or to lay any papers before the Council.

20. The Hon'ble N. SUBBA RAO PANTULU.—(1) Whether Government is aware that members of the Indian Civil Service, before receiving any practical training for the efficient administration of civil justice, are often appointed as Acting District Judges to preside over the highest civil tribunal in the district with appellate jurisdiction over experienced Subordinate Judges and District Munsifs.

(2) Will Government be pleased to consider what steps should be taken to place this branch of the Judicial service on a more efficient and satisfactory footing ?

His Excellency the PRESIDENT.—(1) The Government is aware that the present condition of affairs is not so satisfactory as it might be.

(2) The subject is receiving the careful consideration of Government.

21. The Hon'ble N. SUBBA RAO PANTULU.—(1) Is it a fact, as stated in the *Pioneer* of the 4th November under the heading of "A story of Forest Administration," that certain Revenue officers in the Kurnool district seized logs of wood in forest tanas though covered by permits, and also articles of domestic furniture, instruments of industry, &c., found in dwelling-houses as forest produce and that the owners of these latter articles were, under the orders of the District Collector, prosecuted and convicted in spite of the protest of Forest officers?

(2) Has Government received any report in the matter, and if so, will it be pleased to place the same on the table; if not, will it be pleased to call for one?

The Hon'ble Mr. GROSE.—(1) and (2).—The article in the *Pioneer* was obviously based on information supplied by a Forest Ranger who had been reduced by the Conservator.

Most of the articles seized were not covered by permits, and in the case of those so covered there was reason to doubt if the permits were valid.

The so-called articles of domestic furniture and instruments of industry were mainly spokes and felloes of wheels, axle-boxes, ploughs, pestles, legs of cots, cot-frames and other small articles which are usually rough fashioned in the forests. There were only two cots, of which one was unfinished.

The articles were mainly seized not in the dwelling-houses of ryots, but in the possession of timber merchants and carpenters, and there was ground for suspicion, not only from information received, but because the articles were largely made of a kind of wood for which no permits had been issued since 1890.

It is incorrect to describe the Collector's action in prosecuting as being taken in spite of the protests of Forest officers. At the early stages all seemed to be agreed that offences had been committed in connection with the articles seized in the villages though there was difference of opinion in some cases as to whether they should be compounded or prosecuted. Later on the Ranger alone raised difficulties, but it was his habit to do so in his dealings with the Deputy Tahsildar. This officer, it may here be remarked, had not been placed in any position of authority over the Ranger as alleged in the article in the *Pioneer*.

In the cases of seizure of cart-loads of timber, the Ranger's protests could not be attended to until enquiry had been made about felling without permit, which he had failed to report or put a stop to. The explanation was not wholly satisfactory, but there was no proof of fraud and the timber was released on the recommendation of the District Forest-officer.

The convictions took place in due course of law. Two were confirmed by the District Magistrate on appeal after the appellants had withdrawn an application which they had made to the High Court for the transfer of the appeals. The extract from the speech of the counsel for the defence—a second-grade pleader of the old school—is reported to be purely imaginary. No complaints from persons concerned have been received by Government or by the Board. In fact, the first report on the subject from the Board of Revenue has been received only to-day. It follows that the allegations as to the action of the Board and Government are absolutely false.

The report will be laid on the table.

22. The Hon'ble N. SUBBA RAO PANTULU.—(1) Whether Government is aware that when the notification was published in the Gódávari and Kistna District Gazettes Extraordinary on or about the 15th August 1894, enhancing the water-cess by 25 per cent. from the current fasli, the sowing and transplanting season had advanced and that ryots had taken water from irrigation channels in the belief that it would be charged at the then prevailing rates.

(2) Will Government be pleased to state the reasons which led to this notification after the commencement of the cultivating season and without allowing the ryots an opportunity to submit their representations with regard to the enhancement of the cess?

(3) Is it a fact that the notification published in the District Gazettes Extraordinary on the 13th September 1894, extending up to the 15th September the time (which had expired by the 31st March) for presenting applications for the discontinuance of Government water, was issued with the authority of Government?

(4) Whether Government is aware that this notification practically gave no option to the ryots as intended.

(5) Will Government be pleased to lay on the table the reports, if any, of the District Collectors and of the Board of Revenue with the orders of the Government of Madras and the Government of India relating to the enhancement of the water-cess?

The Hon'ble Mr. J. GROSE.—(1) Yes, and in consideration of this fact Government ordered that only water taken for land which had been irrigated for five years successively should be charged for at the new rate. It is difficult to imagine any case in which a ryot would give up the prospect of cultivating paddy because of the additional charge of one rupee an acre. The full option of refusing irrigation now allowed was not allowed under the old rules. It was granted chiefly because there were circumstances under which it was necessary that wet land should revert to dry. It is obvious that this consideration cannot affect these cases in which the land-owners resolved before the issue of the Government Order to persist in wet cultivation.

(2) The chief reasons are given in paragraph 9 of G.O., dated 2nd August 1894, No. 562-R., namely:—The settlement has already expired in a portion of the Gódávari district and in any case the revision of water-rates on land in zemindaris is unaffected by restrictions imposed by settlement. In 1865 the rate was raised by upwards of 33 *per cent.* upon the sole ground that the price of grain had greatly risen during the six years in which the three-rupee rate had been in force, and as the prices which would be taken into calculation for the purpose of commutation at the present time (omitting the abnormal prices of 1876–78) show, as compared with the commutation rate adopted at the time of last settlement, an increase of about 80 and 57 *per cent.* respectively for the two districts of Gódávari and Kistna, it was considered that the time had come for a further enhancement of the water-rate. Moreover the position of both districts in respect of communications has during the past few years been greatly improved by the opening of the Bellary-Kistna and the East Coast Railways.

(3) Yes, on the advice of the Collector of Kistna who in recommending it said: "I do not think that many if indeed any relinquishments will be actually made, but it is fair that an opportunity should be allowed." The Collector of Gódávari made no representation on the subject. The time in the Kistna district was afterwards extended by G.O., dated 19th September 1894, Mis. No. 3661, to the 30th

September. It should be observed that no order allowing relinquishments was passed when the water-rate was enhanced in 1865. At that time no option was allowed, but land which had been rated as irrigated land was so rated till the means of irrigation failed completely.

(4) As I have stated the time was extended in the Kistna till the 30th September and the Government does not consider that any option was needed, for the reason given in my reply to the Hon'ble Member's first question.

(5) Paragraph 9 of G.O., No. 562, dated 2nd August 1894, will be laid on the table.

23. The Hon'ble N. Subba Rao Pantulu.—(1) Is it a fact that cultivable land of 56 villages to the extent of about 180,000 acres in and around the Lake Colair on the borders of the Gódávari and Kistna districts is subject to submersion during a great part of the year, and that consequently the crops raised thereon are damaged for want of sufficient provision for draining the surplus waters of the Kistna Eastern Delta and the Gódávari Western Delta let into the lake and of the hill streams flowing into it?

(2) Is it a fact also that owing to the unchecked growth of grasses and weeds and their decay in the Colair, the mortality among cattle has much increased (a peculiar kind of disease called Iduga being prevalent among them), and the sanitary condition of the surrounding villages is much affected?

(3) Will Government be pleased to order an investigation into the above matters and adopt such measures for the proper drainage and sanitation of the Colair and its surrounding villages as may be deemed necessary for the protection of nearly two lakhs of acres of land and about 60,000 inhabitants and their cattle?

His Excellency the President.—(1) In the absence of full information upon the subject it is not possible to say whether the statements contained in this question are substantially correct, but so far as Government is informed, they appear to be greatly exaggerated.

(2) The Government has no information as to the alleged effect of the growth of grasses and weeds, and their decay in the Colair lake.

(3) The question of how to manage the Colair has been under consideration for many years, and the Chief Engineer for Irrigation has lately received a report upon the subject from the Superintending Engineer, which is now under consideration. The Government will have the matters alluded to by the Hon'ble Member carefully investigated.

24. The Hon'ble N. Subba Rao Pantulu.—Whether, with reference to the letter of His Excellency the Viceroy to A. O. Hume, Esq., dated 19th January 1891, the Government considers that rule 67 of the "Rules regulating the personal conduct of Public Servants" prohibits Government officials from being present at the meetings of the approaching Indian National Congress as mere visitors without in any manner, directly or indirectly, participating in the proceedings or deliberations thereof.

The Hon'ble Mr. Bliss.—The rule is distinct and is a repetition of the instructions of the Government of India. It must be read with rules 68 and 69. If it is so read, no Government official should be in any doubt as to the course he should take.

25. The Hon'ble N. Subba Rao Pantulu. — (1) Whether it is true that Mr. Godley, M.A., has been or is shortly to be appointed Headmaster of the Mangalore College and placed in the first grade of the Upper Subordinate Service, Scholastic Branch.

(2) Whether avoidance for some time past of permanent appointments in the Educational Department, when there were permanent vacancies, was not solely intended to facilitate the consideration of the claims of men already in the department when the scheme for the Provincial and European Services is sanctioned by the Secretary of State.

(3) Whether the Headmastership of the Mangalore College has not, in the proposed scheme, been placed in the Provincial Service, and whether Mr. Godley's appointment will not increase the number of Europeans in the said service to an extent not contemplated by the scheme.

(4) Will Government be pleased to favorably consider the claims of men already in the service in consultation with the permanent Director of Public Instruction?

The Hon'ble Mr. Grose.—(1) It is the case that Mr. Godley has been appointed to be Headmaster of the Mangalore College and that he has been placed sub. *pro tem.* in the first grade of the Upper Subordinate Service, Scholastic Branch.

(2) Permanent appointments have been avoided of late in order to provide against the bringing of claims to personal allowances on the introduction of the new scheme; the purpose was not as stated in the question.

(3) The Headmastership of the Mangalore College appears in the Provincial Service under the new scheme. The Provincial Service is not closed to Europeans nor has any limit been imposed as to the number of Europeans who may be appointed thereto. The appointment of Mr. Godley has been made on special grounds. When, in 1865, the inhabitants of South Canara subscribed Rs. 65,000 towards the foundation of a college at Mangalore, they accompanied their donation with the request that the Headmastership should be conferred on a graduate of an English University, and, until Mr. Moss retired in 1893, the wishes of the community in this respect were, except on occasions and for short intervals, complied with. The immediate cause of Mr. Godley's appointment was a memorial from certain inhabitants of South Canara asking for an English graduate, and their prayer was supported by the Collector and the Acting Director of Public Instruction.

(4) If this question has reference to Mr. Godley personally, the answer is that the appointment has already been made. If it is of general application, the answer is that all claims are duly considered when represented to Government.

ACT ASSENTED TO BY THE GOVERNOR-GENERAL.

His Excellency the President then announced the assent of His Excellency the Governor-General to Madras Act No. II of 1894 (*An Act to amend the law relating to Village Officers in permanently settled and certain other estates*).

PETITIONS, &c.

The Secretary.—I have the honour to announce that the 64 papers mentioned in the Agenda paper relating to the Bill to amend Act IV of 1884 have been transferred to the Select Committee. Another petition on the same subject received since the Agenda paper was printed has also been transferred to the Select Committee. Three petitions have been received regarding the Bill to repeal Regulation VI of 1831. Nos. 1 and 2 have been printed and laid on the table. No. 3 has not yet been printed, but it will be printed in due course. Under the instructions of Government I have

also laid upon the table the correspondence that has passed between this Government and the Government of India regarding the revised Bill to repeal Regulation VI of 1831.

VILLAGE OFFICERS HEREDITARY SUCCESSION BILL.

The Hon'ble Mr. GIBSON.—My Lord: On the departure of the Hon'ble Mr. Garstin who introduced the Bill to repeal "Madras Regulation VI of 1831 and for other purposes" I was requested by your Excellency to take charge of the measure. I now present to the Council the report of the Select Committee. It has been signed by all the members except the Hon'ble A. Sabhapati Mudaliyar who was unable to attend the Meeting of the Select Committee owing to illness. Since the publication of the report it has been considered necessary that the Bill should undergo further revision and I intend to move that it be re-committed to a Select Committee. As the Hon'ble A. Sabhapati Mudaliyar did not take any part in the deliberations of the former Select Committee, I asked him whether he desired to serve again and he has intimated his unwillingness to do so. I beg therefore to move that the Bill be referred again to a Select Committee consisting of those members of the previous Committee (except the Hon'ble A. Sabhapati Mudaliyar) who are now in India and of the Hon'ble Mr. Bliss and myself.

The Select Committee will therefore consist of—

(1) The Hon'ble Mr. GROSE,
(2) The Hon'ble S. SRINIVASA RAGHAVAIYANGAR,
(3) The Hon'ble P. RANGAYYA NAYUDU,
(4) The Hon'ble V. BHASHYAM AIYANGAR,
(5) The Hon'ble the ADVOCATE-GENERAL,
(6) The Hon'ble K. KALYANASUNDARAM AIYAR,
(7) The Hon'ble Mr. BLISS, and
(8) Myself.

I also move that the petitions regarding this Bill, which have been read by the Secretary, be referred to the Select Committee for consideration.

The Hon'ble Mr. PRICE seconded these motions which were carried *nem. con.*

The SECRETARY having announced that there was no further business, the Council then dissolved.

(By order.)

FORT ST. GEORGE,
26*th November* 1894.

A. BUTTERWORTH,
Secretary to the Council.

MADRAS: PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRESS.

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